

Title 14**WATERWORKS****Chapters:**

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Chapter 14.04**GENERAL PROVISIONS*****Sections:**

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14.04.010 Title. This title shall be known as "an ordinance revising the water rates and rules and regulations of the municipal water utility, Eau Claire, Wisconsin." (Ord. 3197 §I(part), 1970; Prior code §17.01).

14.04.020 Definitions. Whenever in this title the following words, clauses or terms are used they shall be construed to have the meaning herein defined, unless specifically otherwise stated:

- A. "Water department" means the organization and operation of each and every part of the water works system.
- B. "Council" means the city council of the city of Eau Claire, Wisconsin.
- C. "Mains" means all pipes used for carrying water in the streets.
- D. "Services" means the pipe extending from the main to the premises served.
- E. "Office" means the office of the water department in the City Hall.
- F. "Owner" means any person, firm, corporation or association owning property or premises which is or can be supplied with water, or his or their authorized agent.
- G. "Agent." In the absence of instructions from the owner of any property or his duly authorized agent to the contrary, the occupant of any premises shall be recognized as the owner's agent, insofar as his relations to the water department be concerned.
- H. "Residential Class" includes customers who have water service provided for residential or domestic purposes and sales through a single meter to buildings with three or more dwelling units.
- I. "Nonresidential Class" includes commercial, industrial, and public authority customers. Commercial customers include business entities and institutions, except governmental entities, that provide goods or services. Churches and parochial schools are classified as commercial. Industrial customers include customers who are engaged in the manufacture or production of goods. Public Authority customers include any department, agency, or entity of local, state, or federal government, including public schools, colleges, and universities.

* For provisions of general charter law regarding city utilities generally, see WSA 66.0815; for provisions of general municipal law regarding city ownership of utilities, see WSA 66.0803; for statutory provisions regarding regulation of water and sewers, see WSA 144; for provisions of general charter law regarding construction of sewers, see WSA 62.18; for provisions authorizing regulation of utilities, see WSA 196; for provisions authorizing cities to acquire utilities, see WSA 197.

J. "Premises" means a single-family dwelling, a two family dwelling, an apartment house occupied by more than one family, a building occupied for business or other purposes, or any part of a building with the land appurtenant thereto when sold as a separate unit.

K. "Unit of service" shall consist of any residential or small commercial aggregation of space or area occupied for a distinct purpose such as a residence, apartment, flat, store or office which is equipped with one or more fixtures for rendering water service, separate and distinct from other users.

L. "Customer" shall be construed to mean the owner of the property.

M. "Customer service" means that portion of the service lateral that is between the curb box and the premises being served by the water utility.

N. "Utility service" means that portion of the service lateral from the public water main through the curb box which is the property of the utility, or to the property line if no curb box exists.

O. "Service lateral" means the combined utility and customer service which extends from the public water main through the meter, or to a point of 2 feet outside the building if no meter exists.

P. "Superintendent" means the city utilities administrator or his or her designee.

Q. "Cross connection" shall be defined as any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the city of Eau Claire 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. (Ord. 7085, §1, 2014; Ord. 4716, §1, 1987; Ord. 4423 §1, 1984; Ord. 3395 §1, 1973; Ord. 3197 §1(part), 1970).

14.04.025 Rules and regulations--General. A. All persons now receiving a water supply from the Eau Claire municipal water utility, or who may hereafter make application therefor, shall be considered as having agreed to be bound by the rules and regulations as filed with the Public Service Commission of Wisconsin.

B. Application for water service shall be made in writing on a form furnished by the water utility (utility's water service tap permit). The application will contain the legal description (parcel number) of the property to be served, the street number, name of owner, the exact use to be made of the service, and the size of the supply pipe. The meter size shall be determined by the water demand.

Service will be furnished only if:

1. Premises abut a designated street or public strip in which a cast iron or other long-life water main has been laid, or where property owner has agreed to and complied with the provisions of the utility's filed main extension rule;

2. Property owner has installed or agrees to install a service pipe from the utility service to the point of use and laid not less than 7½ feet below the surface of an established or proposed grade, or otherwise insulated in a manner approved by the utility;

3. Premises have adequate piping beyond metering point.

C. The owner of a multi-unit dwelling has the option of being served by individual metered water service to each unit. The owner, by selecting this option, is required to provide interior plumbing and meter settings to enable individual metered service to each unit and individual disconnection without affecting service to other units. Each meter and meter connection will be a separate water utility customer for the purpose of the filed rules and regulations.

D. Every building equipped with plumbing fixtures and used for human occupancy or habitation shall be provided with a potable supply of cold water. The owner of any such building within the jurisdiction of the city, wherein water service is readily available, is required, at the owner's expense, to connect such plumbing facilities directly to the public water distribution system in accordance with the provisions of this chapter within one (1) year after the water service is deemed available by the director of community services or designee. Such time may be extended upon specific written authorization from the director of community services or designee in the event of unfavorable weather conditions, except when an imminent health hazard exists.

E. If any person fails to connect to the municipal water distribution system within the time contained in the city code or in the manner prescribed by the plumbing code for more than 10 days after notice in writing, the city may cause connection to be made, and the expense thereof assessed as a special tax against the property in accordance with Wisconsin Statutes s. 281.45. The owner may, within 30 days after completion of the work, file a written option with the city clerk stating that he or she cannot pay the amount in one sum and asking that it be levied in not to exceed five (5) equal annual installments, and the amount shall be collected with interest at a rate of 6% per year from the completion of the work. The unpaid balance of the special tax shall be placed as a special tax lien on the property.

F. No water service shall pass under or through a building to serve another building.

G. The superintendent is hereby empowered to withhold approval of any application wherein full information of the purpose of such supply is not clearly indicated and set forth by the applicant property owner. (Ord. 7202, 2016; Ord. 6740, 2006; Ord. 6212 §1, 2001; Ord. 4423 §2, 1984).

14.04.030 Water waste prohibited. Excessive or unnecessary use of, or waste of water, whether caused by carelessness or defective or leaking plumbing, is strictly prohibited. (Ord. 3197 §I(part), 1970).

14.04.050 Connection and shutoff locations recorded. It shall be the duty of the plumbing inspector to locate by measurement each service connection and each curb shutoff, referring the same to some suitable permanent building or street line. This information shall be entered on the records of the department. (Ord. 3197 §I(part), 1970).

14.04.060 Permits--Licensed plumbers only. To protect the city and property owners, permits for laying of service laterals will be issued only to plumbers licensed in the State of Wisconsin, unless the work is done by the utility. It shall be the duty of the plumbing inspector to supervise the installation of laterals and require said work and materials to be in accordance with plumbing regulations in the city ordinance. It shall further be the duty of the plumbing inspector to locate by measurement each service lateral connection and each curb shutoff with reference to some suitable permanent building or street line. This information shall be entered on the records of the utility. (Ord. 4423 §3, 1984).

14.04.070 Violations--Penalty. The water department may at its discretion shut off the water from any premises where the owner or agent of the owner is found guilty of violating any of the provisions of this title, upon giving the owner or agent at least twenty-four hours' written notice of such intended action. In addition to this any person guilty of violating the provisions of this title shall be liable to a fine not exceeding one hundred dollars, and costs. In default of payment, imprisonment in county jail for a period not to exceed ninety days. Each day or part thereof during which such violation continues shall constitute a separate offense. (Ord. 3197 §I(part), 1970; Prior code §7.22).

14.04.080 Damages--No claims. A. No person using water shall enter a claim against the city as a water utility or any officer thereof, for damages to any fixtures or appurtenance by reason of interrupted water supply or variation of pressure, or for damage of any nature caused by turning off or on, either partially or entirely, of the water supply for any premises, either for the repairs or alterations of any water main, or for the discontinuance of the service to his or their premises for violation of any rule or regulation of the water department. No claims will be allowed against the utility or the city on account of interruption of supply caused by breaking of pipes or by stoppage for repairs or fire or other emergency.

B. In case of a probable stoppage of water supply when time of interruption can be forecast, every reasonable attempt will be made by the water department to acquaint the users with the action proposed.

C. The utility shall not be liable for failure to locate the curb box and to shut off the water in case of a leak on the customer's premises. (Ord. 4423 §4, 1984; Ord. 3197 §I(part), 1970).

14.04.090 Sprinkling ban authorized. A. Whenever, in the judgment of the city manager or the city manager's designee, an emergency exists due to a shortage of available water supplies for fire-fighting and other municipal purposes, or which may be detrimental to the water system or may cause damages thereto, or which may result in certain areas of the city being deprived of water, the city manager or designated individual may declare a temporary ban upon the watering or sprinkling of lawns, trees, shrubs or other similar vegetation until adequate water supplies are restored. Such ban may include the regulation or prohibition of all such watering or sprinkling throughout the entire city or within designated parts of the city, the regulation or prohibition of such watering or sprinkling during specified hours or on alternate sides of streets on specified days, or may include other prohibitions or regulations reasonably related to the conservation of water during the emergency.

B. Such ban shall become effective upon giving actual notice thereof to any person, or upon the giving of notice thereof to the official city newspaper and other local news media and the printing, broadcast or transmission thereof by any or all of said news media to the public.

C. Exceptions to such sprinkling ban may be granted, upon application, by the city manager or designated individual, for properties having newly seeded or sodded lawns or newly planted vegetation, upon a finding that failure to grant such an exception would jeopardize such lawn or vegetation. Appropriate conditions or limitations may be included in the granting of such exception, in keeping with the purpose of this section, and the grantee shall comply with all such conditions and limitations.

D. Any person violating any provision of this section shall, upon conviction thereof, forfeit not more than fifty dollars, together with costs of prosecution. Each day during which a violation continues shall be considered to be a separate offense. (Ord. 3641, 1976).

14.04.100 Well abandonment and well operation permit. A. Purpose. This ordinance is adopted to protect public health, safety, and welfare, and to prevent contamination of groundwater by assuring that unused, unsafe, or noncomplying wells, or wells which may act as conduits for contamination of groundwater, or wells which may be illegally cross-connected to the municipal water system are properly maintained or abandoned.

B. Applicability. This ordinance applies to all wells located on premises served by the city of Eau Claire municipal water system.

C. Abandonment required. All wells on premises served by the municipal water system shall be properly abandoned in accordance with subsection E. of this ordinance no later than 90 days from the date of connection to the municipal water system, unless a valid well operation permit has been issued to the well owner by the city of Eau Claire under terms of subsection D. of this ordinance.

D. Well operation permit. Owners of wells on premises served by the municipal water system wishing to retain their wells for any use shall make application to the city clerk for a well operation permit for each well no later than 90 days after connection to the municipal water system. The city of Eau Claire shall only grant a permit to a well owner to operate a well for a period not to exceed five years if all conditions of this section are met. A well operation permit shall be issued or renewed after an application has been submitted verifying that the conditions of this section are met. The Eau Claire city-county health department, the city of Eau Claire, or its agent, shall conduct inspections and water quality tests, or require inspections and water quality tests to be conducted at the applicant's expense to obtain or verify information necessary for consideration of a permit application or renewal. The permit will expire on September 30th no later than five years from the date of issuance. The following conditions must be met for issuance or renewal of a well operation permit:

1. The well and pump installation shall meet the Standards for Existing Installations described in s. NR 812.42, Wisconsin Administrative Code.

2. The well and pump shall have a history of producing safe water evidenced by at least one coliform bacteria sample. In areas where the Department of Natural Resources has determined that groundwater aquifers are contaminated with substances other than bacteria, additional chemical tests may be required to document the safety of the water.

3. There shall be no cross-connections between the well's pump installation or distribution piping and the municipal water system.

4. The water from the private well shall not discharge into a drain leading directly to a public sewer utility unless properly metered and authorized by the sewer utility.

5. The private well shall have a functional pumping system.

6. The proposed use of the private well shall be justified as a reasonable addition to water provided by the municipal water system.

7. Payment of a fee as stated in the City of Eau Claire Fees and Licenses Schedule.

E. Abandonment procedures. All wells abandoned under the jurisdiction of this ordinance shall be done according to the procedures and methods of s. NR 812.26, Wisconsin Administrative Code. All debris, pumps, piping, unsealed liners, and any other obstructions which may interfere with sealing operations shall be removed prior to abandonment. The owner of the well or the owner's agent shall notify the Eau Claire city-county health department at least 48 hours in advance of any well abandonment activities. The abandonment of the well may be observed or verified by city of Eau Claire or Eau Claire city-county health department staff. An abandonment report form, supplied by the Department of Natural Resources, shall be submitted by the well owner to the Eau Claire city-county health department within 30 days of the completion of the well abandonment.

F. Penalties. Any well owner violating any provision of this ordinance shall, upon conviction, be punished by forfeiture of not less than \$500, nor more than \$1,000, plus the cost of prosecution. Each day of violation is a separate offense. If any person fails to comply with this ordinance after written notice of the violation is either mailed to or posted at the property, the municipality may impose a penalty hereunder, declare the property a public nuisance, and cause the well abandonment to be performed and the expense to be assessed as a special charge against the property. (Ord. 6848, 2008).

14.04.110 Lead Service Line Replacement. A. Purpose. The city council finds it in the public interest and for the protection of public health, safety, and welfare to establish a comprehensive program for removing and replacing all lead service lines within and connected to the city's water service.

Lead service lines have the potential to leach lead into drinking water; in particular, the disturbance or reconnection to an existing lead service line may increase lead levels in drinking water. The city's water service is an interconnected system and lead in any service line is a potential contaminant throughout the system. There is no safe level of exposure to lead and lead in drinking water has been determined to cause health problems in young children, pregnant women and their unborn children, and is also potentially harmful to adults.

B. Definitions. The following definitions shall apply to this section, in addition to those terms defined in Section 14.04.020 of this Chapter:

1. Customer-side service line. The property owner's water service line, from the outlet of the curb stop to the inlet of the customer's water meter.

2. Eligible lead service line. A customer-side water service line that contains lead, for which the service lateral or main has already been replaced, or is in the process of being replaced.

3. Lead service line. A water service line constructed of lead. This term includes the customer-side service line, mains, and service laterals.

4. Property. Real property as defined in Wis. Stats. s. 70.03.

5. Property owner. A person or legal entity having a possessory interest, legal or equitable, in property which shall include an estate, trust or lien.

6. Plumbing contractor. A person, firm, corporation or other entity licensed by the state of Wisconsin to perform plumbing work in the city.

C. Connection prohibited. No person shall connect a customer-side lead service line to a non-lead service lateral.

D. Lead service line replacement requirement. All eligible lead service lines connected to city water service shall be replaced with water service laterals made of material approved by the city, at the property owner's expense or through available financial assistance for customer-side lead service line replacements, in accordance with the requirements of this section.

E. Identification of lead service lines. For city projects involving water mains or replacement of service laterals, property owners affected by the city project shall be notified in writing at least 30 days prior to commencement of construction. The director of community services or her or his designee shall inspect all connections to the mains for the presence of lead prior to, if possible, or at the time that the mains are to be reconstructed and if unable to gain access for inspection, may pursue an inspection warrant or any other steps necessary to conduct the inspection, and shall collect the cost therefor from the property owner, including by imposition of a special charge.

F. Customer-side lead service line replacements.

1. In the event that a customer-side service line is found to contain lead, the director of community services or her or his designee shall immediately notify the property owner, in writing, of that fact, whether it is an eligible lead service line, and available funding options. The director of community services or her or his designee shall further provide information to the affected property owner regarding an effective flush of all water lines within the affected property. The affected property owner shall provide proof of arrangements for replacement of the eligible lead service line to the director of community services or her or his designee within 30 days of the date of the notification letter.

2. Replacement of eligible lead service lines shall be completed either in conjunction with the replacement of the city's side of the water service during a utility replacement project, or if the city's side has already been replaced, shall be replaced within 90 days of notice to the property owner of the presence of lead.

G. Financial assistance for customer-side lead service line replacements.

1. Customers may apply for financial assistance for lead service line replacement through any available grant source, including those funds provided through the State of Wisconsin's Safe Drinking Water Loan Program.

2. The city may provide financial assistance for customer-side lead service line replacements in the form of grants, loans, or other funding sources. Funds shall be paid directly to the plumbing contractor on behalf of the property owner. The total amount of the funds provided shall not exceed the actual cost of replacement of the customer-side lead service line.

H. Penalty. Failure to commence work on the replacement of the customer-side lead service line when required pursuant to this ordinance, or for such work to be completed within a reasonable time after commencement of the work, may result in a citation to the property owner of at least sixty dollars and no more than five hundred dollars for each day of the violation, together with the costs of prosecution. (Ord. 7357, 2020).

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Chapter 14.08**CONNECTION AND INSTALLATION*****Sections:**

- 14.08.010 Pipes and mains--Property of utility.**
- 14.08.020 State statutes adopted.**
- 14.08.030 Installation--Application.**
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- 14.08.090 Repairs--Leaks and deteriorated connections.**
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- 14.08.100 Shutoff valves--Required--Maintenance.**
- 14.08.105 Protective devices.**
- 14.08.110 Stop and waste.**
- 14.08.115 Cross connections.**
- 14.08.120 Street repairs.**
- 14.08.130 Private fire protection.**
- 14.08.140 Service outside corporate limits.**
- 14.08.150 Water main installation in platted subdivision.**

14.08.010 Pipes and mains--Property of utility. The large pipes or mains which, in general, are laid in streets and alleys and distribute water throughout the city are the property of the utility and are maintained by the utility. No person except an authorized employee of the water department shall be permitted to operate any valves or hydrants in connection with the system, or to tap said main for connection purposes, except by permission of the superintendent of the department. Members of the fire department in discharge of their duties will use the hydrants. (Ord. 3179 §I(part), 1970; Prior code §7.03(a)).

14.08.020 State statutes adopted. Section 66.0701, et seq., Wisconsin Statutes, and acts amendatory thereto, relating to special assessments for laying of water mains is adopted and made a part of these regulations. (Ord. 6212 §2, 2001; Ord. 3179 §I(part), 1970; Prior code §7.03(b)).

14.08.030 Installation--Application. A. All applications for the installation of services for water must be made at the office of the water department prior to performance of work by the owner or a licensed plumber, who will be considered as the authorized agent of the owner.

B. The application shall state the ownership of the premises to be served, the legal description of the property, the street number, size or service and other pertinent data. (Ord. 3197 §I(part), 1970; Prior code §7.04(b)).

14.08.040 Installation--General. A. Services may be laid upon application of owner of premises by a licensed plumber, and the council may cause a service to be laid into every lot or parcel of land before the street is permanently improved. In the latter case, this improvement will be made and cost assessed against the property in accordance with Section 66.0701, et seq., Wisconsin Statutes, and acts amendatory thereto.

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

1. Where the cost of the extension is to immediately be collected through assessment by the municipality against the abutting property, the procedure set forth under Section 66.0701, et seq. of the Wisconsin Statutes will apply, and no additional customer contribution to the utility will be required.

2. Where the municipality is unwilling or unable to make a special assessment, then extension will be made on a customer-financed basis as follows:

a. The applicant or applicants will advance as a contribution in aid of construction the

* For statutory provisions authorizing cities to construct sewer systems, see WSA 62.18; for statutory provisions authorizing cities to acquire utilities, see WSA 197.

total amount equivalent to that which would have been assessed for all property under subdivision (1) of this subsection.

b. Part of the contribution required in paragraph (a) of this subdivision will be refundable. When additional customers are connected to the extended main within ten years of the date of completion, contributions in aid of construction will be collected equal to the amount which would have been assessed under subdivision (1) for the abutting property being served. This amount will be refunded to the original contributor or contributors. In no case will the contributions received from additional customers exceed the proportionate amount which would have been required under subdivision (1) nor will it exceed the total assessable cost of the original extension.

3. When a customer connects to a transmission main or connecting loop installed at utility expense within 10 years of the date of completion, there will be a contribution required of an amount equivalent to that which would have been assessed under section B1. (Ord. 7085 §2, 2001; Ord. 6212 §3, 2001; Ord. 3793 §1, 1977; Ord. 3197 §I(part), 1970; Prior code §7.04(b)).

14.08.050 Installation--Cost assessment. The expense of laying service pipes, and connecting such service pipes to the main shall be charged to and made a lien upon the real estate or premises served by such service pipes. In case it may be proved necessary to replace the service pipe with a larger service, this cost shall also be an expense against the property served. (Ord. 3197 §I(part), 1970; Prior code §7.04(a)).

14.08.060 Single premises service connections. Any permit given for water service shall require that not more than one premises be served by one connection. Whenever a service has to be replaced, or where permanent street improvements are authorized and conditions contrary to above rule exist, they shall be corrected. (Ord. 3197 §I(part), 1970; Prior code §7.04(d)).

14.08.065 Water service pipes--Depth. Water service pipes shall be installed at a depth of not less than seven and one-half feet, unless otherwise approved by the city engineer. (Ord. 7085 §3, 2014; Ord. 4173 §2, 1981).

14.08.070 Service alteration. No addition or alteration to service already laid shall be changed or added to, or meter moved without notification to the water department. (Ord. 3197 §I(part), 1970; Prior code §7.04(e)).

14.08.080 Discontinuance--Permanent or temporary. Whenever a building receiving water service is proposed to be razed or removed and the water superintendent finds that the property will not require water service after such razing and removal and within a reasonable period of time thereafter he shall require the permittee under the razing or removal permit to shut off water service to the property at the corporation shutoff at the main under Section 14.08.100, after first obtaining approval to do so under Section 14.08.100. Such requirement when made by the water superintendent shall be a condition of the razing or removal permit. (Ord. 3197 §I(part), 1970; Prior code §7.04(f)).

14.08.085 Vacation of premises. When premises are to be vacated, the utility shall be notified at once, so that it may remove the meter and shut off the supply at the curb stop. At the decision of the utility, the meter may or may not be removed from the premises.

The owner of the premises shall be liable to prosecution for any damage to the property of the water utility by reason of failure to notify the utility of vacancy.

When a tenant-customer vacates a premises, he or she shall notify the utility at least 10 working days prior to vacating. The tenant-customer must also notify the owner who is ultimately responsible for payment of all bills (Section 66.069 Wis. Statutes). (Ord. 4423 §5, 1984).

14.08.090 Repairs--Leaks and deteriorated connections. A. If a customer fails to repair a leaking or broken service pipe from the curb stop and/or property line to point of metering or use within 5 days after receiving notification from the water utility that his service requires repair, the water will be shut off and will not be turned on again until the repairs have been completed.

The water utility may disconnect without notice where a dangerous condition exists for as long as the condition exists.

B. In cases where the owner is ordered by the utility to replace or repair a damaged, deteriorated or malfunctioning service lateral and the owner fails to comply within 10 days of receiving notice, the utility may discontinue water service to his property, and the cost of such discontinuance shall be charged and assessed against said property. (Ord. 4423 §6, 1984; Ord. 3197 §I(part), 1970).

14.08.095 Repairs to mains. A. The utility reserves the right to shut off the water in the mains temporarily, to make repairs, alterations or additions to the plant or system. When circumstances will permit, the utility will give notification, by newspaper publication or otherwise, of the discontinuance of the supply.

B. No rebate will be allowed to customers for such temporary suspension of supply. Nor will any claims be allowed against the utility or the city for damages caused by the interruption of water supply, variation of pressure, or turning off or on (either partially or entirely) the water supply to any premises due to the use of water for fire-fighting or other emergency, the breaking of pipes or the repairs or alterations to the water plant or system. (Ord. 4423 §7, 1984).

14.08.100 Shutoff valves--Required--Maintenance. Each service lateral shall be controlled by a corporation shutoff at the main and, if the service is smaller than 3 inches, a curb shutoff at or near the curb is also required. These valves are under the sole and absolute control of the utility and must not be operated by others without permission of the utility, except that a plumber may turn on the water for testing purposes, but only with consent in each case. (Ord. 4423 §8, 1984; Ord. 3395 §II, 1970; Ord. 3197 §I(part), 1970).

14.08.105 Protective devices. A. In general. The owner or occupant of every premise receiving water supply shall apply and maintain suitable means of protection of the premise supply, and all appliances thereof, against damage arising in any manner from the use of the water supply, variation of water pressure, or any interruption of water supply. Particularly, such owner or occupant must protect water cooled compressors for refrigeration systems by means of high pressure safety cutout devices. There shall likewise be provided means for the prevention of the transmission of water ram or noise of operation of any valve or appliance through the piping of their own or adjacent premises.

B. Relief valves. On all "closed systems" (i.e., systems having a check valve, pressure regulator, or reducing valve, water filter or softener), an effective pressure relief valve shall be installed either in the top-tapping or the upper side tapping of the hot water tank, or on the hot water distributing pipe connection at the tank. No stop valve shall be placed between the hot water tank and the relief valve or on the drain pipe.

C. Air chambers. All water supply systems, water distribution systems and components connected thereto, subject to water hammer, shall be provided with approved shock absorbing devices located and sized to suppress water hammer. All appliances, devices, equipment, fixtures and appurtenances with quick closing valves or which may create water hammer, shall be provided with shock absorbing devices. When copper air chambers are used, the minimum size shall be ½" x 1" x 14".

The size and location of the mechanical suppressors shall be in accord with the hydraulic design of the piping system served and to the manufacturer's recommendations. All mechanical water hammer suppressors shall be accessible. (Ord. 4423 §9, 1984).

14.08.110 Stop and waste. All service connections shall be provided with an approved stop and waste where it enters the building, for use in draining the systems. All services shall have a shutoff valve on both sides of meter. All water meters two inches or more in diameter shall be provided with a suitable valved and sealed bypass, having a diameter or no less than one inch smaller than the service entrance, which can be utilized in the event of removal, repair or changing of such meter. (Ord. 3395 §III, 1973; Ord. 3197 §I(part), 1970).

14.08.115 Cross connections. A. No person 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 regular public water supply of the city of Eau Claire 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 has been approved by the city of Eau Claire water utility and by the Wisconsin Department of Natural Resources in accordance with s. NR 810.15, Wisconsin Administrative Code.

B. The utilities division of the city of Eau Claire shall 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. The frequency of inspections and reinspections, based on potential health hazards involved, shall be as established by the utilities division of the city of Eau Claire and as approved by the Wisconsin Department of Natural Resources. Public educational materials, when being provided in lieu of low hazard inspections, shall be provided to the customers at least every three (3) years, and with every cross connection survey. Residential and low risk commercial customers with meter sizes 5/8", 3/4", or 1" shall be inspected every ten (10) years. Residential and low risk commercial customers with meter sizes 1½" and 2" shall be inspected

every four (4) years. All high risk commercial, industrial and public authority customers shall be inspected every two (2) years. It shall be the responsibility of the high risk commercial, industrial and public authority property owner to have the inspection completed within the specified time.

C. Upon presentation of credentials, the representative of the utilities division 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 city of Eau Claire for cross connections. If entry is refused, such representative shall seek to 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 city any pertinent information regarding the piping system or systems on such property.

D. The city of Eau Claire water utility is hereby authorized and directed to discontinue water service to any property wherein any connection in violation of this section 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 subsection E. Water service to such property shall not be restored until the cross connection or connections have been eliminated in compliance with the provisions of this section.

E. If it is determined by the city of Eau Claire water utility 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 Eau Claire 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 discontinuances.

F. That the city of Eau Claire adopts by reference the State Plumbing Code of Wisconsin being Chapters, SPS 382, 383, and 384, Wisconsin Administrative Code.

G. This section does not supersede, but is supplementary to, the State Plumbing Code and the city of Eau Claire plumbing ordinances contained in Title 14. (Ord. 7123, 2015; Ord. 6212 §4, 2001; Ord. 4716 §2, 1987; Ord. 4423 §10, 1984).

14.08.120 Street repairs. A. When services are laid on an improved street or highway, in addition to the regular charge the premises served shall pay the cost of repairing said opening in the street at rates established by the city council, and on file with the plumbing inspector.

B. Trenches in streets shall be refilled with earth and mechanically tamped in 12-inch lifts until the street grade is reached, and to the satisfaction of the utility. (Ord. 5903 §1, 1998; Ord. 4423 §11, 1984; Ord. 3197 §1(part), 1970).

14.08.130 Private fire protection. Private fire protection service laterals to supply water to sprinkler systems or private fire hydrants will be permitted only upon application of the owner after detailed plans showing sizes and location of all pipes, valves, hydrants and sprinkler heads have been filed with and approved by the superintendent. Owners and insurance inspectors may test private fire hydrants and apparatus in the presence of the superintendent or an inspector assigned for such purposes. No charge shall be made for water used for private charges for these services. (Ord. 4423 §12, 1984; Ord. 3197 §1(part), 1970).

14.08.140 Service outside corporate limits. A. In order to provide adequate fire protection for persons and property within the corporate limits of the city of Eau Claire and to ensure the public health and safety of the residents, and for conserving the available water supply, it is necessary to limit unincorporated areas served to those previously served, specifically:

1. 8 properties in the 2500 block of Paulina Street and;
2. 7 properties in the 2500 and 2600 blocks of Crescent Avenue;
3. Properties formerly part of the Washington Heights Sanitary District and located outside

the City of Eau Claire, now part of the water utility of the City of Eau Claire, effective as of January 1, 1984, pursuant to Agreement of the Washington Heights Sanitary District and the water utility of the City of Eau Claire and Order of the State of Wisconsin Public Service Commission, dated October 27, 1983, copies of such documents being on file in the office of the city clerk and open to public inspection during normal business hours.

The foregoing shall apply to any other sites or locations already so served but not herein enumerated.

B. Although the city has heretofore provided service to the aforesaid areas and sites, such service shall not be construed as a holding out or an offer by the city to furnish water beyond its corporate limits.

The city reserves the right to further limit such areas, should such further action be necessary.

C. Only in exceptional cases and when authorized by the city council by ordinance, may water service be furnished to consumers outside the city limits. The applicant for such service shall state fully all of the conditions affecting such usage, shall fully comply with all the requirements as to plumbing, safeguarding and use applicable to users of water within the city limits, and shall, if required by the council, pay for service and water in advance.

D. In such cases the water rates stated in the City of Eau Claire Schedule of Fees and Licenses shall be applied.

E. Mains or services laid and the installation thereof outside the city limits shall be in accordance with the specifications of and under the supervision of the water department, and be approved thereby, and expense thereof shall be a part of the cost of such main. Maintenance of such mains or services shall conform to general city requirements. (Ord. 7425 §1, 2021; Ord. 5903 §1, 1998; Ord. 4445, 1984; Ord. 4423 §15, 1984; Ord. 3179 §1(part), 1970).

14.08.150 Water main installation in platted subdivisions. A. Application for installation of water mains in regularly platted real estate development subdivisions shall be filed with the city clerk and shall set forth the following information:

1. Name of subdivision;
2. Legal description;
3. Map showing street, lots and sizes of proposed mains and hydrants, and street laterals;
4. Date of approval of subdivision plan by the state;
5. Date of approval of proposed mains by Department of Natural Resources;
6. Number of houses presently under construction.

B. Upon receipt of the application, the department of community services shall develop plans for the extension of mains together with the installation of service laterals and hydrants required to adequately serve the area and provide public fire protection. The water utility will prepare detailed estimates of the cost of extending water mains and hydrants of the size deemed necessary in the subdivision and submit the same to the city council for approval of the extension as it pertains to public fire-protection service requirements.

C. The applicant for water service to be supplied to a subdivision shall be required to advance to the utility, prior to the beginning of the construction, the total estimated assessable cost of the extension. In the event several property owners are involved, they shall confer so that the advance payment is properly distributed among them. If the final costs exceed estimated costs, an additional billing will be made for the balance of the cost due. This balance is to be paid within thirty days. If final costs are less than estimated, a refund of overpayment will be made by the water utility.

D. In a regularly platted subdivision, the subdivider or developer will already have graded the streets in the subdivision or have posted a bond stating that the streets will be graded within a two-year period. (Ord. 7202, 2016; Ord. 4423 §§16, 17, 1984; Ord. 3793 §2, 1977).

Chapter 14.10

WELLHEAD PROTECTION

Sections:

- 14.10.010 Purpose.**
- 14.10.020 Authority.**
- 14.10.030 Application.**
- 14.10.040 Definitions.**
- 14.14.050 Groundwater Protection Overlay District Boundaries.**
- 14.10.060 Permitted Uses.**
- 14.10.070 Separation Distance Requirements.**
- 14.10.080 Prohibited Uses.**
- 14.10.090 Conditional Uses.**
- 14.10.100 Requirements for Existing Facilities.**
- 14.10.110 Enforcement and Penalty.**

14.10.010 Purpose. The residents of the City depend exclusively on groundwater for a safe drinking water supply. Certain land use practices and activities can seriously threaten or degrade groundwater quality. The purpose of this Wellhead Protection Ordinance is to institute land use regulations and restrictions protecting the municipal water supply of the City and promote the public health, safety and general welfare of the residents. (Ord. 7204, 2016)

14.10.020--14.10.050

14.10.020 Authority. This chapter is created to protect the health, safety and welfare of the citizens of the City of Eau Claire and members of the public relying upon the provision of safe municipal drinking water and further upon express statutory authority established by the Wisconsin Legislature in 1983, Wisconsin Act 410, which specifically added groundwater protection, in §62.23(7)(c), Wis. Stats., to the statutory authorization for municipal planning and zoning to encourage the protection of groundwater resources, and the public health, safety and welfare. (Ord. 7204, 2016)

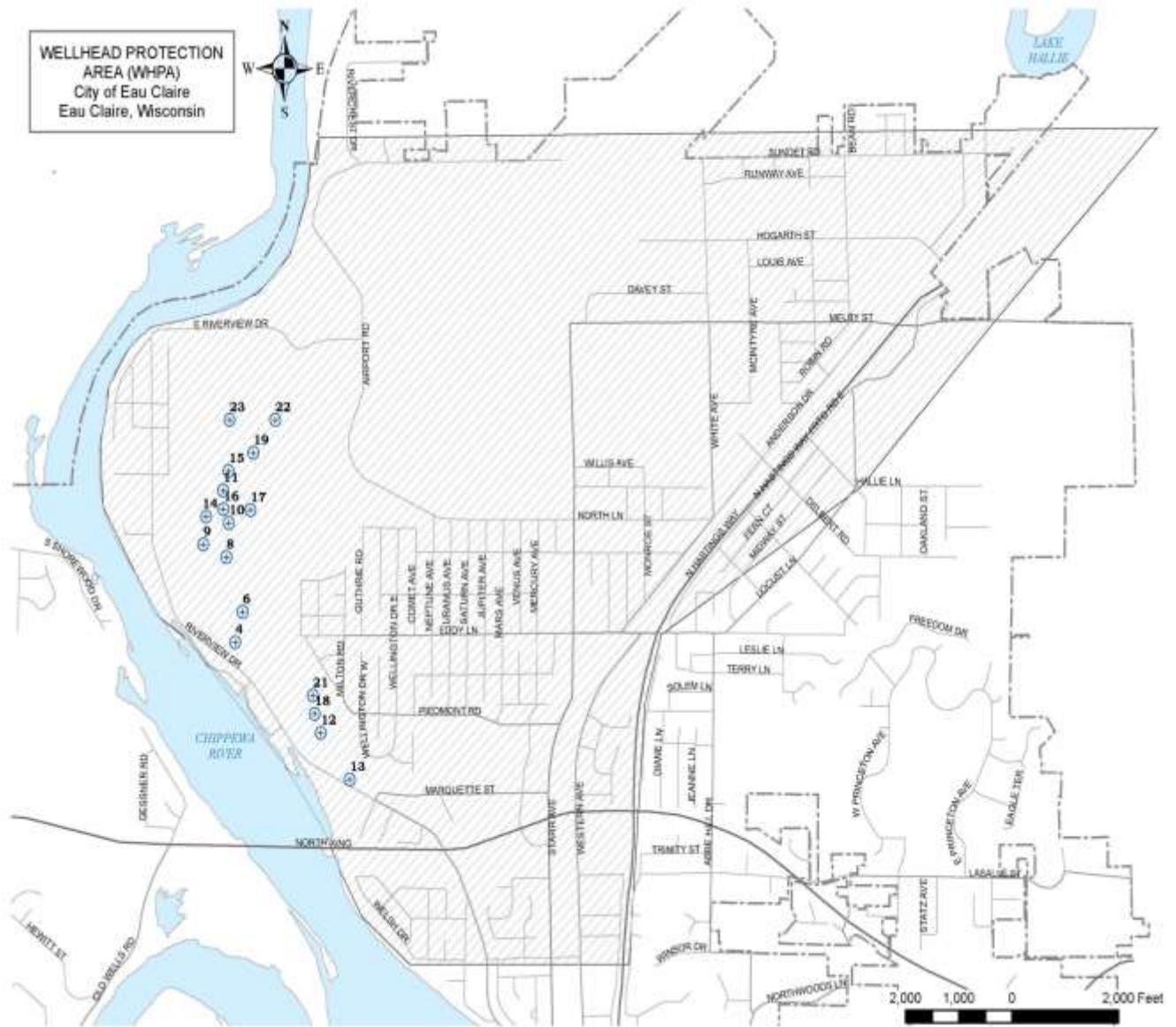
14.10.030 Application. The provisions specified in this Wellhead Protection Ordinance shall apply to the incorporated areas of the City, and also those areas outside the incorporated boundary of the City where extended by cooperative agreement, that lie within the recharge areas for municipal water supply wells as that area is defined in s. 14.10.040, and are in addition to the requirements in the underlying zoning district, if any. If there is a conflict between this ordinance and the Zoning Code, Title 18, of the Code of Ordinances of the City of Eau Claire, the more restrictive provision shall apply. (Ord. 7204, 2016)

14.10.040 Definitions. For purposes of this chapter, the following terms have the meaning indicated:

- A. "Aquifer" means a saturated, permeable geologic formation that contains and will yield significant quantities of water.
- B. "Cone of depression" means the area around a well, in which the water level has been lowered at least one of a foot by pumping of the well.
- C. "Groundwater Protection Overlay District" means that portion of the recharge area equivalent to a 5-year time of travel to the well field plus the area within the buried valley containing sand and gravel deposits that transmit water to the City wells with boundaries normalized to road centerlines, railways, surface water features, and the public land survey section lines, 1/2, 1/4, 1/8, or 1/16 section lines, as more specifically described in Section 14.10.050 below.
- D. "Municipal water supply" means the municipal water supply of the City of Eau Claire.
- E. "Person" means an individual, partnership, association, corporation, municipality or state agency, or other legal entity.
- F. "Recharge area" means the area which encompasses all areas or features that, by surface infiltration of water that reaches the zone of saturation of an aquifer, supplies groundwater to a well.
- G. "Well field" means a piece of land used primarily for the purpose of locating wells to supply a municipal water system.
- H. "Zone of saturation" means the saturated zone is the area of unconsolidated, fractured or porous material that is saturated with water and constitutes groundwater. (Ord. 7204, 2016)

14.10.050 Groundwater Protection Overlay District Boundaries. A. The boundaries of the Groundwater Protection Overlay District shall be shown on the zoning map. The locations and boundaries of the zoning districts established by this ordinance are set forth on the City Municipal Wellhead Protection Areas Map which is incorporated herein and made a part of this ordinance. A detailed map shall be on file with the zoning department and kept accessible to the public and said map, together with everything shown thereon and all amendments thereto, shall be as much a part of this ordinance as though fully set forth and described herein.

- B. Groundwater Protection Overlay District boundaries are described as follows:
 - 1. Northwest WHP Area. This area is delineated on the map which lies on the most northwest part of the WHP area at Rivercrest Drive to the south and east.
 - 2. North WHP Area. This area is delineated on the map which lies on the most north part of the WHP area at Sundet Drive to the south.
 - 3. Northeast WHP Area. This area is delineated on the map which lies on the most northeast part of the WHP area at Hastings Way and Village of Hallie to the south and west.
 - 4. East WHP Area. This area is delineated on the map which lies on the east part of the WHP area at Hastings Way and Eddy Lane to the west.
 - 5. Southeast WHP Area. This area is delineated on the map which lies on the most southeast part of the WHP area at Hastings Way and Jackson Street to the north and west.
 - 6. South WHP Area. This area is delineated on the map which lies on the most south part of the WHP area at Redwood Drive to the north.
 - 7. Southwest WHP Area. This area is delineated on the map which lies on the most southwest part of the WHP area at the Chippewa River and Riverview Drive to the north and east.
 - 8. West WHP Area. This area is delineated on the map which lies on the most west part of the WHP area at the Chippewa River to the west of the Water Plant to the east. (Ord. 7204, 2016)



14.10.060 Permitted Uses. A. The following uses, if also allowed in the underlying zoning district according to the Zoning Code, Title 18 are permitted in the Groundwater Protection Overlay District, subject to the separation distance and other applicable requirements:

1. Public and private parks, green space, wood lots, trails, playgrounds, and beaches, provided there are no on-site wastewater disposal systems or holding tanks.
2. Residential, connected and serviced by City sewer.
3. Single-family residences on a minimum lot of 20,000 square feet with a private on-site sewage treatment system receiving less than 8,000 gallons per day, which meets the County and State health standards for the effluent, and is in conformance with SPS 383, Wis. Adm. Code.
4. Commercial establishments connected and serviced by City sewer.
5. Industrial establishments connected and serviced by City sewer. (Ord. 7204, 2016)

14.10.070 Separation Distance Requirements. The separation distances as specified in NR 811.12(5)(d), Wis. Adm. Code, shall be maintained. (Ord. 7204, 2016)

14.10.080 Prohibited Uses. A. The following uses are prohibited in the Groundwater Protection Overlay District (for Existing Facilities, see s. 14.10.100):

1. Buried hydrocarbon, petroleum or hazardous chemical storage tanks. (Hazardous chemicals are identified by OSHA criteria under 40CFR Part 370.)
2. Cemeteries.
3. Chemical manufacturers (Standard Industrial Classification Major Group 28).
4. Coal storage.
5. Dry cleaners.
6. High capacity wells and industrial lagoons and pits.
7. Jewelry plating and metal plating.
8. Landfills and any other solid waste facility, except post-consumer recycling.
9. LP, petroleum, or other similar tank farms or individual above ground accessory tanks over 1,000 gallons.
10. Manure and animal waste storage except animal waste storage facilities regulated by the County.
11. Metallic and Nonmetallic earthen materials extraction, transfer or storage.
12. Pesticide and fertilizer dealer, transfer or storage.
13. Railroad yards and maintenance stations.
14. Rendering plants and slaughterhouses.
15. Salt or deicing material storage.
16. Salvage or junk yards.
17. Septage or sludge spreading, storage or treatment.
18. Septage, wastewater, or sewage lagoons.
19. Private on-site wastewater treatment systems or holding tanks receiving 8,000 gallons per day or more.
20. Stockyards and feedlots.
21. Stormwater infiltration basins that receive any "contaminant of concern" under Wisconsin Administrative Code Chapter NR 720 without adequate and acceptable pretreatment approved by the City and permitted as necessary by WDNR.
22. Wood preserving operations. (Ord. 7222, § 1 2017; Ord. 7204, 2016)

14.10.090 Conditional uses. A. Any person may request a conditional use permit for certain uses, activities and structures within the Groundwater Protection Overlay District not prohibited in section 14.10.120, if also allowed in the underlying zoning district according to Title 18.

B. The uses, activities, and structures that may be conditionally allowed within Groundwater Protection Overlay District are:

1. Machine or metal working shops.
2. Research labs, universities and hospitals.
3. Motor vehicular services, including filling and service stations, repair, renovation and body working.

C. All requests for a conditional use permit shall comply with section 18.35 and further shall include:

1. A site plan map with all building and structure footprints, driveways, sidewalks, parking lots, stormwater management structures, groundwater monitoring wells, and 2-foot ground elevation contours.
2. A business plan and/or other documentation which describes in detail the use, activities, and structures proposed.
3. An environmental assessment report prepared by a licensed environmental engineer which details the risk to, and potential impact of, the proposed use, activities, and structures on groundwater quality.
4. An operational safety plan, which details the operational procedures for material processes and containment, best management practices, stormwater runoff management, and groundwater monitoring.
5. A contingency plan which addresses in detail the actions that will be taken should a contamination event caused by the proposed use, activities, or structures occur.

D. The person making the request shall, in addition to the fees as stated in the Fees and License Schedule, reimburse the City for consultant fees associated with this review at the invoiced amount, plus administrative costs.

E. All conditional use permits granted shall be subject to conditions that will include environmental and safety monitoring determined necessary to afford adequate protection of the public water supply. These conditions shall include, but not be limited to:

1. Provide current copies of all federal, state and local facility operation approval or certificates and on-going environmental monitoring results to the City.
2. Establish environmental or safety structures/monitoring to include an operational safety plan, material processes and containment, operations monitoring, best management practices, stormwater runoff management, and groundwater monitoring.
3. Replace equipment or expand in a manner that improves the environmental and safety technologies being utilized.
4. Prepare, file and maintain a current contingency plan which details the response to any emergency which occurs at the facility, including notifying municipal, county and state officials. Provide a current copy to the City.
5. The Plan Commission shall, in addition to the provisions of section 18.35, decide upon a request for a conditional use permit only after full consideration of the recommendations made by the director of Community Services or his or her designee, regarding groundwater impact and wellhead protection measures and may include any or all of the recommendations as conditions to grading the use permit. ((Ord. 7222, § 2 2017; Ord. 7204, 2016)

14.10.100. Requirements for Existing Facilities. A. Existing facilities within the Groundwater Protection Overlay District at the time of enactment of such district which may cause or threaten to cause environmental pollution include, but are not limited to, the Wisconsin Department of National Resources draft or current list of "Inventory of Sites or Facilities Which May Cause or Threaten to Cause Environmental Pollution", Wisconsin Department of Industry, Labor and Human Relations' list of underground storage tanks, list of facilities with hazardous, solid waste permits, and all other facilities which are considered a prohibited use in prohibited uses, section 14.10.080, or a conditional use in conditional uses, section 14.10.090, all of which are incorporated herein as if fully set forth.

1. Such facilities as above which exist within the district at the time of enactment of a district shall provide copies of all current, revised or new federal, state and local facility operation approvals, permits or certificates; operational safety plans; and on-going environmental monitoring results to the City.
2. Such facilities as above which exist within the district at the time of enactment of a district shall have the responsibility of devising, filing and maintaining, with the City, a current contingency plan which details how they intend to respond to any emergency which may cause or threaten to cause environmental pollution that occurs at their facility, including notifying municipal, county and state officials.
3. Such facilities as above cannot engage in or employ a use, activity, or structure listed in prohibited uses, section 14.10.080, or in conditional uses, section 14.10.090, which they did not engage in or employ at the time of enactment of a district, and can only expand, replace or rebuild those present uses, activities, equipment, or structures on the site or property of record associated with the facility at the time of enactment of a district, and in a manner that improves the environmental and safety technologies already being utilized. No existing use, activity, or structure listed as a prohibited use or conditional use shall be expanded, replaced, or rebuilt unless a conditional use permit is granted for such expansion, replacement, or rebuilding. This section does not apply to normal maintenance or minor repairs. (Ord. 7204, 2016)

14.10.110 Enforcement and Penalty. A. Penalty. Any person who violates, neglects or refuses to comply with any of the provisions of this ordinance shall, upon conviction, be punished by forfeiture of not less than \$500, nor more than \$1,000, plus the cost of prosecution. Each day of violation is a separate offense..

B. Injunction. The City may, in addition to any other remedy, seek injunction or restraining order against the party alleged to have violated the provisions herein, the cost of which shall be charged to the defendant in such action.

C. Cleanup Costs. As a substitute for, and in addition to any other action, the City may commence legal action against both the person who releases the contaminants and the owner of the facility whereupon the contaminants were released to recover the costs, together with the costs of prosecution. Any person who causes the release of any contaminants which may endanger or contaminate the municipal water supply system associated with a Ground Water Protection Overlay District shall immediately cease such discharge and immediately initiate clean up satisfactory to the City and the other state and federal regulatory agencies. The person who releases such contaminants and the person who owns the facility whereon the contaminants have been released shall be jointly and severally responsible for the cost of cleanup, consultant, or other contractor fees, including all administrative costs for oversight, review and documentation, including the City employees, equipment, and mileage. (Ord. 7204, 2016)

Chapter 14.12

METERS

Sections:

- 14.12.010 Meters--Installation.**
- 14.12.015 Meters--Service piping.**
- 14.12.020 Meters--Repairs to.**
- 14.12.030 Removal.**
- 14.12.035 Inspection of premises.**
- 14.12.040 Meters--Failure to read.**
- 14.12.050 Failure to register.**
- 14.12.060 Leakage--Abnormal consumption registered.**
- 14.12.070 Meters--Complaint tests.**
- 14.12.080 Remote reading registers.**
- 14.12.090 Surreptitious use of water.**

14.12.010 Meters--Installation. Meters of proper size and type will be furnished by, remain the property of, and be placed by the utility and are not to be disconnected or tampered with by the consumer. All meters shall be so located that they are easily accessible, with a minimum of 5 feet of head room provided for reading, inspecting and servicing, and safe from freezing or breaking. They will not be installed in pits, coal cellars, or other undesirable locations.

All meters smaller than 3 inches shall be located with at least an area of 12 inches around, above and below the meter being free and unobstructed.

All meters 3 inches and larger shall be located:

- (1) with an area of 18 inches around all sides and below the meter being free from obstructions;
- (2) with an area of 36 inches above the meter being free from obstructions;
- (3) with an unobstructed, functioning floor drain within 6 feet of a point directly below the meter; and
- (4) near some access to the outside of the building in which they are located, such as an outside door or window, for the periodic repair and testing of the meter.

All piping within the building must be supplied by the customer. Inlet and outlet valves to and from each meter shall be maintained by the property owner and in satisfactory normal operating condition. (Ord. 4423 §18, 1984; Ord. 3395 §IV, 1973; Ord. 3179 §I(part), 1970).

14.12.015 Meters--Service piping. A. In cases where a new customer whose service is to be metered installs the original service piping or where an existing metered customer changes his service piping for his own convenience, or where an existing flat rate customer requests to be metered, the customer shall, at his or her expense, provide a suitable location and the proper connections for the meter. The water superintendent should be consulted as to the type and size of meter setting.

B. Where it is possible to set meters in the basement, or other suitable place within a building, the service connection shall be provided with an approved shutoff valve on either side of the meter. Proper length, with a minimum horizontal run of 18 inches, shall be provided for the inserting of the meter into the supply line.

C. All water meters 1½ inches and larger shall be provided with a suitable valved and sealed bypass, having a diameter of not less than 1 nominal size smaller than the service entrance, which can be utilized in the event of removal, repair or changing of such meter.

D. No permit will be given to change from metered to flat rate service.

E. The water cannot be turned on for a consumer except by a duly authorized employee of the water utility. When a plumber has completed a job, the plumber must leave the water turned off. This does not prevent the plumber from testing the work. (Ord. 4423 §19, 1984).

14.12.020 Meters--Repairs to. Meters will be repaired by the water utility and the cost of such repairs caused by ordinary wear and tear will be borne by the utility. Repair of any damage to a meter resulting from the carelessness of the owner of the premises, his agent or tenant, or from the negligence of any one of them to properly secure and protect same, including any damage that may result from allowing a water meter to become frozen or to be injured from the presence of hot water or steam in the meter, shall be paid for by the customer. (Ord. 4423 §20, 1984; Ord. 3179 §1(part), 1970).

14.12.030 Removal. No meter shall be removed or otherwise disturbed except by department employees or by parties authorized by the superintendent to do so. (Ord. 3179 §1(part), 1970).

14.12.035 Inspection of premises. During reasonable hours any officer or authorized employee of the utility shall have the right of access to the premises supplied with service, for the purpose of inspection or for the enforcement of the utility's rules and regulations. At least once every 12 months the utility will make a systematic inspection of all unmetered water taps for the purpose of checking waste and unnecessary use of water. (Ord. 4423 §21, 1984).

14.12.040 Meters--Failure to read. A. Authorized utility employees shall have access to premises at all reasonable hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, to read meters at least quarterly each year, which readings shall constitute the basis of charges for water used.

B. In case access cannot readily be made to premises, a card upon which the owner or agent shall mark the numerical meter reading shall be left at the premise or mailed to the owner or agent. This card shall be forwarded to the water utility office, and for the period involved, the usage shall be based on the marked card.

C. Where the utility is unable to read a meter, and the card was not marked and returned, charges will be estimated and a billing, indicating it is an estimated bill, will be mailed to the customer. Any differences shall be adjusted when the meter is again read. Only in unusual cases shall more than three consecutive estimated or minimum bills be rendered. (Ord. 7425 §2, 2021; Ord. 5903 §2, 1998; Ord. 4423 §22, 1984; Ord. 3179 §1(part), 1970).

14.12.050 Failure to register. If the meter is damaged or fails to operate, the bill will be based on use during the same period of the previous year, unless there is some reason why the use was not normal. If the use cannot be properly employed, the bill will be based on three months use either before or after the failure of meter to register, whichever is deemed more equitable. (Ord. 5903 §2, 1998; Ord. 4423 §22, 1984; Ord. 3179 §1(part), 1970).

14.12.060 Leakage--Abnormal consumption registered. Pursuant to Wis. Admin. Code 185.35(6) and the utility's policy, when a leak unknown to the customer is found in an appliance or the plumbing and is promptly repaired upon identification or notification, the utility shall estimate the water wasted due to the leak and bill for this excess usage at the lowest volume rate published. If, however, the consumer fails to have the leak repaired promptly, the total consumption will be billed at regular rates. No additional adjustments shall be made for water supplied after the customer has been notified of the leak and has had an opportunity to correct the condition. (Ord. 7425 §3, 2021; Ord. 3179 §1(part), 1970; Prior code §7.08(f)).

14.12.070 Meters--Complaint tests. If a customer requests, the utility shall promptly make an accuracy test in addition to the periodic or installation test if 24 months or more have elapsed since the last complaint test of the same meter in the same location.

All meter and remote register testing shall be done in accordance with the standards as set forth in the Wisconsin Administrative Code, P.S.C. Sections 185.61 through 185.79.

If the meter and/or remote register has been tested within the last 24 months, an amount equal to one-half of the estimated cost of the meter test shall be advanced to the utility by the customer.

If the meter is found fast in excess of 2%, no charge will be made for the test and there will be an adjustment made for the over-charge on the past billing. (Ord. 5903 §2, 1998; Ord. 4438, 1984; Ord. 4423 §23, 1984; Ord. 3179 §1(part), 1970).

14.12.080 Remote reading registers. The water utility may install remote register water meter attachments as provided in this section, which shall be located outside of the premises and shall provide a reading of water consumption on the premises. The cost of such register installation shall be borne by the utility.

A. A remote register shall be installed in any existing premise at the discretion of the utility.

B. Any premise for which a building permit is issued after the effective date of the ordinance codified in this section (December 14, 1998), shall have installed a remote register water meter attachment. The property owner, at his or her expense, shall install a thin-wall or equivalent conduit (one-half inch in diameter) extended from a position flush with the exterior wall of the premise to a point below the basement ceiling line. The location and manner of such installation shall permit the installation of such a remote register which will be in compliance with subsection C.

C. The remote register water meter attachment shall be located as determined by the utility in an easily accessible place, along a walkway or driveway that is kept cleared throughout the year and as near the water meter as possible. The remote register shall be located forty to sixty inches above ground level. The water utility superintendent or the designee of the superintendent may approve other locations for such remote register for good cause shown. (Ord. 5903 §2, 1998; Ord. 3959, 1979).

14.12.090 Surreptitious use of water. When the utility has reasonable evidence that a consumer is obtaining his supply of water, in whole or in part, by means of devices or methods used to stop or interfere with the proper metering of the utility service being delivered to his equipment, the utility reserves the right to estimate and present immediately a bill for service unmetered as a result of such interference and such bill shall be payable subject to a 24-hour disconnection of service. When the utility shall have disconnected the customer for any such reason, the utility will reconnect the customer upon the following conditions:

1. the customer has no outstanding bills for water service owing to the utility,
2. the customer has paid the utility for any and all damages to its equipment on the customer's premises due to such stoppage or interference with its metering, and
3. the customer must agree to comply with reasonable requirements to protect the utility against further losses.

Sections 98.26 and 943.20, Wisconsin Statutes, as relating to water service, are hereby adopted and made part of these rules. (Ord. 4423 §24, 1984).

Chapter 14.16

SPECIAL SERVICES

Sections:

14.16.010 Thawing frozen services.

14.16.030 Frozen service--Prevention measures.

14.16.040 Hydrants--Opening for use.

14.16.050 Maintenance and replacement of service laterals.

14.16.010 Thawing frozen services. A. Frozen service laterals located between the water main and curb box shall be thawed by and at the entire expense of the water utility except where the customer has been notified in advance of a corrective measure to follow or the freezing was caused by contributory fault or negligence on the part of the customer, such as reduction of the cover or undue exposure of the piping in the building or on the customer's property, or failure to comply with water department specifications and requirements as to depth of service, sufficient backfill, or for other similar reason (see Section 14.16.030 for adjustment of bill where the water utility requests the customer to permit a stream of water to flow to prevent freezing). Notice published in the official city newspaper and given to other local news media of corrective measures to follow to prevent freezing shall be deemed to constitute adequate advance notice to customers within the meaning of this section.

B. The thawing of frozen services or other underground pipes electrically may introduce hazards if proper precautions are not taken. Damage to buildings and to electrical facilities may result from high current flow in grounding conductors and neutrals. The electric current may reach the grounding conductor and the neutral which can be in parallel with the pipe, or reach the conductor because of physical contact between the interior water piping and the metallic tubing or conduit of the interior wiring.

C. It is recommended that when service pipes are being thawed electrically, the water meters may be removed and that experienced personnel familiar with the above hazard be asked to disconnect the conductors used for thawing the pipe. (Ord. 3877 §1, 1978).

14.16.030 Frozen service--Prevention measures. If, in the opinion of the superintendent of the water department, it becomes necessary to allow water to run continuously for a certain period to prevent freezing of laterals, the owner or occupant may leave a valve open until corrective measures can be undertaken economically. For the period in which the water is so allowed to flow, he will be billed according to the average bill for this particular location over similar periods, or according to the average consumption for others of the same class, if he be a new customer, provided he notified the water department at the time the valve was opened for such precautionary purpose.

Corrections must be made as soon as conditions warrant, as he will not be given consideration more than once for the same condition. (Ord. 3179 §1(part), 1970; Prior code §7.09(part)).

14.16.040 Hydrants--Opening for use. A. Only persons authorized by the superintendent of the water department or the chief of the fire department are permitted to open fire hydrants for any purpose.

B. In case of temporary use of a hydrant, the hydrant valve will be set at proper opening by employees of the water department, and the flow of water shall be regulated by means of a valve set with a swing joint to facilitate quick disconnection from the hydrant. (Ord. 3179 §1(part), 1970; Prior code §7.10)

14.16.050 Maintenance and replacement of service laterals. A. The cost of maintaining and replacing that portion of the service lateral, and appurtenances, which is located between the water main up to and including the curb box shall be borne by the water utility, subject to the provisions of this section. Such maintenance or replacement shall be required only in the event of a leak, or in the event there is damage to, or deterioration or malfunction of such portion of the lateral so that the water service to the premises served is adversely affected thereby, as reasonably determined by the water superintendent, and which is not the result of the negligence or other fault of the owner, of the premises, or from the decision on the part of the owner, without more, to change from one size of service to another size of service. The water utility shall only be obligated for the cost of replacement of a service lateral of similar size as that portion of the service lateral which is replaced. The replacement lateral shall be of a type of material that conforms to current standards. The ordinance codified in this section shall take effect as of January 1, 1978.

B. The following percentage of the actual cost of such replacement shall be borne by the city according to the following schedule over the five years next following such effective date for replacement occurring during such year. The property owner shall be responsible for the remaining percentage of such replacement costs.

<u>Year</u>	<u>City-paid percent of costs</u>
1978	20%
1979	40%
1980	60%
1981	80%
1982	100%

C. Commencing in the year 1982 and thereafter, the entire cost of such replacement shall be borne by the water utility. The water utility shall be responsible for that percentage of costs for the year in which the damage or defect occurs or is discovered, except in those cases where repair or maintenance cannot be made due to weather or other similar reason beyond the control of the property owner, in which case the percentage of the next subsequent year shall be used.

D. 1. Any claim filed under this section may be authorized to be paid from the city treasury after the comptroller has audited and approved the claim as a proper charge against the treasury, and has indorsed approval thereon after having determined that the following conditions have been complied with:

- a. That funds are available therefor pursuant to the budget approved by the city council;
- b. That the item or service covered by such claim has been duly authorized by the proper official, department head, board, or commission;
- c. That the item or service has been actually supplied or rendered in conformity with such authorization;
- d. That the claim is just and valid pursuant to law. The comptroller may require the submission of such proof and evidence to support the foregoing as deemed necessary.

2. The comptroller shall file with the city council not less than monthly a list of the claims approved, showing the date paid, name of claimant, purpose and amount.

3. The city shall authorize an annual detailed audit of such financial transactions and accounts as required by Wisconsin Statutes, Section 66.0609. (Ord. 4008, 1979; Ord. 3877 §3, 1978).

Chapter 14.20**RATES AND BILLING****Sections:**

- 14.20.010 Bills to customers.**
- 14.20.015 Service contract.**
- 14.20.020 Billing--Late payment charge.**
- 14.20.025 Combined metering.**
- 14.20.030 Unpaid charges--Lien on property.**
- 14.20.040 Billing dates--Penalty dates.**
- 14.20.050 Rates--Public fire protection service.**
- 14.20.055 Other charges.**
- 14.20.060 Water Rates--Metered.**
- 14.20.070 Reconnection charge.**
- 14.20.090 Unmetered service.**
- 14.20.095 Seasonal service.**
- 14.20.100 Rates--Private fire protection service.**
- 14.20.130 Service to other municipalities.**
- 14.20.135 Public service.**
- 14.20.140 Bulk water.**
- 14.20.150 Water lateral installation charge.**

14.20.010 Bills to customers. A. All water bills and notices of any nature relative to water supply shall be addressed to the customer. "Customer" shall be construed to mean the owner of the property. In the case of rental property, the owner may direct the utility to recognize a tenant as a customer subject to the following conditions:

1. Each rental unit shall be individually metered.
2. Any tenant-customer signing for service agrees to be responsible for the prompt payment for services and for notifying the owner and utility of any change in occupancy.

Service may not be denied to any customer provided the above conditions are met and the customer is legally occupying the property.

B. Reasonable care will be exercised for delivery of water bills. The failure to receive such bills shall not relieve the owner or customer of any premises from payment of bills within the prescribed period, nor exempt him from the responsibility imposed for delinquency of accounts. (Ord. 7425 §5, 2021; Ord. 7085 §4, 2014; Ord. 4423 §25, 1984; Ord. 3918 §1, 1978; Ord. 3179 §1(part), 1970).

14.20.015 Service contract. A. The request by a property owner to have a water meter set and the water supply turned on by the utility is interpreted as a service contract for continuous water service with the water utility.

B. For change in ownership of property requiring special billing by the utility, a special billing charge shall apply. A special meter reading charge shall apply to the customer when the water utility reads the meter to disconnect service and/or provide special billing. These charges may not be assessed to the new customer. For applicable rates see the City of Eau Claire Schedule of Fees and Licenses.

C. Where the property owner requests the utility to bill a tenant-customer, and the tenant-customer accepts this responsibility, a special billing charge shall apply. A special meter reading charge shall apply to the customer when the water utility reads the meter to disconnect service and/or provide special billing. These charges may not be assessed to the new customer. For applicable rates see the City of Eau Claire Schedule of Fees and Licenses. Service will not be denied to any tenant-customer provided he or she is legally occupying the property and has accepted responsibility for water service. (Ord. 7425 §6, 2021; Ord. 7085 §4, 2014; Ord. 4423 §26, 1984).

14.20.020 Billing--Late payment charge. Bills for water service are rendered quarterly or monthly and become due and payable within 20 days of issuance. Regardless of any provision to the contrary in this chapter, wherever quarterly billing for water service is provided, the water utility may, at its option, render bills for water service on a monthly basis. For customers billed monthly and whose meters are read quarterly, the utility may compute estimated monthly bills for the first two months of a regular quarterly meter reading period and compute the bill for the third month at the regular quarterly rates for service deducting the estimated bills for the first two months. A late payment charge of 3 percent will be added to bills not paid within 20 days of issuance. This one-time 3 percent late payment charge will be applied only to any unpaid balance for the current billing period's usage. This late payment charge is applicable to all customers. The utility customers 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 arrangement for payment is made within the next 10 days, service may be disconnected pursuant to Chapter PSC 185, Wisconsin Administrative Code. (Ord. 7085 §4, 2014; Ord. 6212 §5, 2001; Ord. 5679 §1, 1997; Ord. 5149 §1, 1991; Ord. 4423 §27, 1984; Ord. 4230 §1, 1981).

14.20.025 Combined metering. A. Volumetric meter readings will be combined for billing if the utility, for its own convenience, places more than one meter on a single water service lateral. Multiple meters placed for the purpose of identifying water not discharged into the sanitary sewer are not considered for utility convenience and shall not be combined for billing. Meter readings from individually metered separate service laterals shall not be combined for billing purposes. This does not preclude buildings used in the same business and located on the same parcel from having the water supply piping installed to a central point by the customer so that the buildings can be served by a single water service lateral and metered in one place. (Ord. 5274 §1, 1992).

14.20.030 Unpaid charges--Lien on property. A. Except as provided in subsection B., all water bills and service charges shall be a lien on the parcel of land to which water service is supplied. All sums that have accrued and are not paid by the fifteenth of November in any year shall be certified to the city clerk, and shall be placed on the tax roll for collection as provided in Section 66.0809, Wisconsin Statutes.

B. If an arrearage is for utility service furnished and metered directly to a mobile home unit in a licensed mobile home park, notice of arrearage shall be given to the owner of the mobile home unit. Delinquent amounts shall become a lien on the mobile home unit rather than a lien on the parcel of real estate on which the mobile home unit is located. A lien on a mobile home unit may be enforced using the procedures under section 779.48(2), Wisconsin Statutes. (Ord. 7425 §7, 2021; Ord. 6212 §6, 2001; Ord. 5679 §2, 1997; Ord. 3179 §1(part), 1970).

14.20.040 Billing dates--Penalty dates. For billing purposes, the city is divided into four groups. As of the last day of each month a bill will be prepared for one of the following groups:

Group 1 January, April, July, October;

Group 2 February, May, August, November;

Group 3 December, March, June, September;

Group 4 Every month. (Ord. 7085 §4, 2014; Ord. 5460 §1, 1994; Ord. 3793 §5, 1977).

14.20.050 Rates--Public fire protection service. Public Fire Protection Service. Under Wisconsin Statute s. 196.03(3)(b), the city of Eau Claire has chosen to have the utility bill the retail general service customers for public fire-protection service. This service shall include the use of hydrants for fire protection service only and such quantities of water as may be demanded for the purposes of extinguishing fires within the service area. This service shall also include water used for testing equipment and training personnel. For all other purposes, the metered or other rates set forth, or as may be filed with the Public Service Commission, shall apply. This fire protection service rate shall apply to all water customers ~~is~~ in addition to the rates contained elsewhere in Title 14 and shall be in an amount as stated in the City of Eau Claire Schedule of Fees and Licenses. (Ord. 7425 §8, 2021; Ord. 7085 §4, 2014; Ord. 7044 §1, 2013; Ord. 6983 §1, 2011; Ord. 6876 §1, 2009; Ord. 6421 §1, 2003; Ord. 6131 §1, 2001; Ord. 5903 §3, 1998; Ord. 5679 §3, 1997; Ord. 5522, 1995; Ord. 5460 §2, 1994; Ord. 5274 §2, 1992; Ord. 5149 §2, 1991; Ord. 4943, 1989; Ord. 4656 §1, 1986; Ord. 4423 §28, 1984; Ord. 4230 §2, 1981; Ord. 3793 §5, 1977; Ord. 3395 §V(part), 1973; Ord. 3179 §I(part), 1970; Prior code §7.15(a)(part)).

14.20.055 Other charges. The following charges shall be applied to a customer's account as applicable in an amount as stated in the City of Eau Claire Schedule of Fees and Licenses

A. A special meter reading charge shall apply to the customer when the water utility reads the meter to disconnect service and/or provide special billing. This charge may not be assessed to a new customer.

B. A special billing charge shall apply to the customer to cover the administrative expenses associated with disconnecting service and/or providing special billing. This charge may not be assessed to a new customer.

The above-stated charges shall apply under the following circumstances:

1. Ownership of property transfers;
2. Owner of property assigns responsibility for service to a tenant-customer (and the tenant-customer accepts the responsibility);
3. Tenant-customer moves and billing address transfers back to owner;
4. Tenant changes and new tenant accepts responsibility for bill; or
5. Property management company or condominium association transfers and responsibility is accepted by new management.

C. A missed appointment charge will be billed by the utility if the customer schedules an appointment for a special meter reading with a utility serviceman and the customer fails to be present at such time to allow access to the meter. (Ord. 7425 §9, 2021; Ord. 7085 §4, 2014; Ord. 6711 §1, 2006; Ord. 6131 §2, 2001; Ord. 5679 §5, 1997; Ord. 4423 §29, 1984).

14.20.060 Water Rates--Metered. A. General water service, volume and meter rental rate charges shall be as stated in the City of Eau Claire Schedule of Fees and License.

B. Upon request and payment of such fee as stated in the City of Eau Claire Schedule of Fees and Licenses, the utility shall furnish and install additional meters to water service customers for the purpose of measuring the volume of water used that is not discharge into the sanitary sewer system and to sewerage service customers who are not customers of the water utility for the purpose of determining the volume of sewage that is discharge into the sanitary sewer system. An additional meter rental charge applies if the additional meter is installed on the same service lateral as the primary meter. The metering configuration and meter size determine the additional meter charge.

C. Unit of Service. A unit of service shall consist of any residential or small commercial aggregation of space or area occupied for a distinct purpose, such as a residence, apartment, flat, store or office which is equipped with one or more fixtures for rendering water service, separate and distinct from other users.

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.

When a consumer's premises have several buildings each supplied with service and metered separately, the full service charge will be billed for each meter separately, and 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. If the utility, for its own convenience, installs more than one meter, the readings will be cumulated for billing. (Ord. 7425 §10, 2021; Ord. 7085 §4, 2014; Ord. 7044 §2, 2013; Ord. 6983 §6, 2011; Ord. 6876 §2, 2009; Ord. 6711 §2, 2006; Ord. 6421 §2, 2003; Ord. 6131 §3, 2001; Ord. 5903 §3, 1998; Ord. 5679 §6, 1997; Ord. 5460 §4, 1994; Ord. 5274 §4, 1992; Ord. 5149 §4, 1991; Ord. 4943, 1989; Ord. 4656 §3, 1986; Ord. 4423 §30, §31, 1984; Ord. 4230 §3, 1981; Ord. 3793 §5, 1977; Ord. 3395 §V(part), 1973; Ord. 3179 §I(part), 1970; Prior code §7.15(a)(part)).

14.20.070 Reconnection charge. A. Where a customer, at customer request, has been disconnected (shut off at curb stop or meter removed) and where customer requests reconnection of service at the same location, a reconnection charge shall be billed.

B. A reconnection charge shall be made to customers whose services are disconnected (shut off at curb stop or meter removed) because of non-payment of bills when due, (not including disconnection for failure to comply with deposit or guarantee rules).

C. If reconnection is requested for the same location by any member of the same household, or, if a place of business, by any partner of the same business, it shall be considered the same customer.

D. Reconnection charges shall be as stated in the City of Eau Claire Schedule of Fees and License.

E. There is no charge for disconnection. (Ord. 7425 §11, 2021; Ord. 7085 §4, 2014; Ord. 6711 §3, 2006; Ord. 5903 §3, 1998; Ord. 5679 §7, 1997; Ord. 5274 §5, 1992; Ord. 5149 §5, 1991; Ord. 4656, 1986; Ord. 4423, 1984; Ord. 4230 §4, 1981).

14.20.090 Unmetered service A. Service may be supplied temporarily on an unmetered basis where the utility cannot immediately install a water meter, including water used for construction. Unmetered service shall be billed the average amount that would be charged to a metered residential customer including the service charge for a 5/8-inch meter. If the utility determines the actual usage exceeds the residential average of water per quarter, an additional charge for the estimated excess usage shall be as stated in the City of Eau Claire Schedule of Fees and Licenses.

B. This schedule applies only to customers with a 1-inch or smaller service connection. For customers with a larger service connection, the utility shall install a temporary meter and charges shall be based on the rates as stated in the City of Eau Claire Schedule of Fees and Licenses. (Ord. 7425 §12, 2021; Ord. 7085 §4, 2014; Ord. 6876 §3, 2009; Ord. 6711 §4, 2006; Ord. 6131 §4, 2001; Ord. 5903 §3, 1998; Ord. 5679 §10, 1997; Ord. 5460 §5, 1994; Ord. 5274 §7, 1992; Ord. 5149 §7, 1991; Ord. 4943, 1989; Ord. 4656 §5, 1986; Ord. 4423 §§34 & 35, 1984; Ord. 4230 §§5, 6, 1981; Ord. 3793 §7, 1977; Ord. 3395 §V(part), 1973; Ord. 3179 §I(part), 1970; Prior code §7.15(d)).

14.20.095 Seasonal service. Seasonal customers are general service customers who voluntarily request disconnection of water service and who resume service at the same location within 12 months of the disconnection, unless service has been provided to another customer at that location in the intervening period. The utility shall bill seasonal customers the applicable service charges year-round, including the period of temporary disconnection.

B. Seasonal service shall include customers taking metered or unmetered service.

C. Upon reconnection, the utility shall apply a charge and require payment of any unpaid charges under this schedule.

D. Applicable charges shall be as stated in the City of Eau Claire Schedule of Fees and Licenses. (Ord. 7425 §13, 2021; Ord. 7085 §4, 2014; Ord. 6876 §4, 2009; Ord. 6711 §5, 2006; Ord. 6131 §5, 2001; Ord. 5679 §12, 1997; Ord. 5460 §6, 1994; Ord. 5274 §9, 1992; Ord. 5149 §9, 1991; Ord. 4943, 1989; Ord. 4656 §6, 1986; Ord. 4423 §36, 1984).

14.20.100 Rates--Private fire protection service. A. This service shall consist of permanent or continuous unmetered connections to the main for the purpose of supplying water to private fire protection service such as automatic sprinkler systems, standpipes and private hydrants. This service shall also include reasonable quantities of water used for testing check valves and other backflow prevention devices.

B. Private fire protection service demand charges shall be as stated in the City of Eau Claire Schedule of Fees and Licenses. (Ord. 7425 §14, 2021; Ord. 7085 §4, 2014; Ord. 6876 §5, 2009; Ord. 5903 §3, 1998; Ord. 5679 §13, 1997; Ord. 5274 §10, 1992; Ord. 4943, 1989; Ord. 3793 §8, 1977; Ord. 3395 §VI(part), 1973; Ord. 3179 §I(part), 1970; Prior code §7.16).

14.20.130 Service to other municipalities. A. Water service may be furnished to other municipalities upon written application and upon approval thereof by the city council.

B. Upon filing of such application the council shall first ascertain from the superintendent of the water department that such service will not adversely affect the water requirements of the city.

C. Granting the application shall be upon the condition that the service will be available from the nearest point to the particular location from which applicant may desire service and that the capacity to serve will be based on the size of the city's then existing watermain with pressure limited accordingly. Any installation for increased service or pressure will be at the expense of applicant.

D. Payment for water used shall be made by applicant based upon the reading of the master meter, bills to be rendered quarterly and all ordinances, rules and regulations applicable to retail service governing the municipal water utility of the city shall apply.

E. The utility shall furnish facilities up to the city limits, and any investment in mains not subject to special assessment by the city shall be contributed by the customer. If a master meter is employed, the cost of the meter will be borne by the customer. Such master meter shall be installed in an approved meter pit at a site within the city limits, designated by the city. (Ord. 4423 §38, 1984; Ord. 3793 §§10, 11, 1977; Ord. 3395 §VIII, 1973; Ord. 3174 §I(part), 1970; Prior code §7.20).

14.20.135 Public service. A. Water service supplied to municipal buildings, schools and similar properties shall be metered and the regular service rates applied.

B. Water used on an intermittent basis for flushing sewers, street sprinkling, flooding skating rinks, drinking fountains, and similar activities shall be metered where meters can be set to measure the service. Where it is impossible to measure the service, the superintendent shall estimate the volume of water used based on the pressure, size of opening, and period of time water is allowed to be drawn. The estimated quantity used shall be billed at the volumetric rates as stated in the City of Eau Claire Schedule of Fees and Licenses. (Ord. 7425 §15, 2021; Ord. 7085 §4, 2014; Ord. 6876 §6, 2009; Ord. 6711 §6, 2006; Ord. 6131 §6, 2001; Ord. 5903 §3, 1998; Ord. 5679 §15, 1997; Ord. 5460 §7, 1994; Ord. 5149 §10, 1991; Ord. 4943, 1989; Ord. 4656 §9, 1986; Ord. 4423 §39, 1984; Ord. 4230 §7, 1981; Ord. 3793 §12, 1977).

14.20.140 Bulk water. A. All bulk water supplied from the water system through hydrants or other connections shall be metered, or at the direction of the utility, estimated. Utility personnel or a utility-approved party shall supervise the delivery of water. Bulk water sales are:

1. Water supplied by tank truck or from a hydrant for the purpose of extinguishing fires outside the utility's immediate service area;
2. Water supplied by tank truck or from a hydrant for purposes other than extinguishing fires, such as irrigation or the filling of swimming pools; or
3. Water supplied from hydrants or other temporary connections for general service type applications.

B. A service charge and charge for the volume of water used will be billed to the party using the water. A deposit for the meter and/or valve shall be collected and will be refunded upon return of the utility's equipment. Damaged or lost equipment will be repaired or replaced at the customer's expense. Bulk water charges shall be as stated in the City of Eau Claire Schedule of Fees and Licenses. (Ord. 7425 §16, 2021; Ord. 6876 §7, 2009; Ord. 6711 §7, 2006; Ord. 6131 §7, 2001; Ord. 5903 §3, 1998; Ord. 5679 §16, 1997; Ord. 5460 §8, 1994; Ord. 5274 §11, 1992; Ord. 5149 §11, 1991; Ord. 4943, 1989; Ord. 4656 §10, 1986; Ord. 4423 §40, 1984; Ord. 3793 §13, 1977; Ord. 3395 §IX, 1973; Ord. 3179 §I(part), 1970; Prior code §7.21).

14.20.150 Water lateral installation charge. Subdivision developers shall be responsible, where the main extension has been approved by the utility, for the water service lateral installation costs from the main through the curb stop and box. When the cost of a utility main extension is to be collected through assessment by the city, the actual average water lateral installation costs from the main through the curb stop and box shall be included in the assessment of the appropriate properties. The initial water lateral not installed as part of a subdivision development or an assessable utility extension shall be installed from the main through the curb stop and box by the utility, for which the actual cost shall be charged. (Ord. 5149 §12, 1991; Ord. 4656 §11, 1986; Ord. 4230 §8, 1981).