

**ORDINANCE FOR**  
**CROSS CONNECTION CONTROL**

**ORDINANCE NO. 147C**

TO PROVIDE A PROGRAM FOR PROTECTING THE PUBLIC WATER SYSTEM OF THE CITY OF ARCADIA FROM CONTAMINATION DUE TO BACKFLOW OF CONTAMINANTS THROUGH THE WATER SERVICE CONNECTION INTO THE PUBLIC WATER SYSTEM OF THE CITY OF ARCADIA.

WHEREAS, *Wis. Admin. Code Chapters NR § 810* and *SPS § 382* require protection for the public water system from contamination due to backflow of contaminants through the water service connection; and

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

The Common Council of the City of Arcadia do ordain as follows:

SECTION 1. REPEAL. City of Arcadia Ordinances 147, as amended is repealed and recreated to read as follows:

1. DEFINITION OF CROSS CONNECTION. A "cross connection" is defined to mean any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the City of Arcadia's public water system, and the other of which contains 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, with the direction of flow depending on the pressure differential between the two systems.

2. UNPROTECTED CROSS CONNECTIONS PROHIBITED. No person, firm, or corporation may establish or maintain, or permit to be established or maintained, any unprotected cross connection. Cross connections shall be protected as required in *Wis. Admin. Code SPS Ch. 382* as amended from time to time.

3. INSPECTION. The water utility may inspect, or arrange for an inspection of, property served by the City of Arcadia water system for the existence of cross connections. As an alternative, the City of Arcadia Water Utility may require a person, firm, or corporation who owns, leases, or occupies property to have their plumbing system inspected, at their own expense by a State of Wisconsin Certified Cross Connection Inspector/Surveyor. The frequency of inspections shall be established by the City of Arcadia Water Utility in accordance with Wisconsin Administrative Code. Any unprotected cross connections identified by any inspection by the City of Arcadia, its agent, or a company employed by the City of Arcadia, shall be promptly corrected by the property owner. Failure of any property owner to promptly correct an unprotected cross connection shall be sufficient cause for the City of Arcadia Water Utility to discontinue water service to the property, as provided under Paragraph #6 of this Ordinance.

4. RIGHT OF ENTRY. Upon presentation of credentials, a representative of the City of Arcadia Water Utility shall have the right to enter, at any reasonable time, a property served by a connection to the City of Arcadia water system for the purpose of inspecting the property for cross connections. Refusing entry to such representative shall be sufficient cause for the City of Arcadia Water Utility to discontinue water service to the property, as provided under Paragraph # 6 of this Ordinance. If entry is refused, a special inspection warrant under *Wis. Stat. § 66.0119* may be obtained.

5. PROVISION OF REQUESTED INFORMATION. The City of Arcadia Water Utility may request an owner, lessee, or occupant of property served by a connection to the public water system to furnish the City of Arcadia Water Utility with pertinent information regarding the plumbing and piping systems on the property. Refusing to provide requested information shall be sufficient cause for the City of Arcadia Water Utility to discontinue water service to the property, as provided under Paragraph #6 of this Ordinance.

6. DISCONTINUATION OF WATER FOR VIOLATION. The City of Arcadia Water Utility may discontinue water service to any property wherein any unprotected cross connection in violation of this Ordinance exists, and take other precautionary measures deemed necessary to eliminate any danger of contamination of the City of Arcadia public water system. Water service may be discontinued, however, only after reasonable notice and opportunity for hearing under *Wis. Stat. Ch. 68*, except as provided in Paragraph #7 of this Ordinance. Service to such property shall not be restored until the unprotected cross connection has been eliminated.

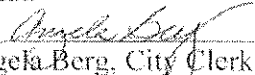
7. EMERGENCY DISCONTINUANCE. If it is determined by the City of Arcadia Water Utility that an unprotected cross connection or emergency endangers public health, safety, or welfare, and requires immediate action, and if a written finding to that effect is filed with the City Clerk and delivered to the property owner's last known address, water service may be immediately discontinued. The property owner shall have an opportunity for hearing under *Wis. Stat. Ch. 68* within ten (10) days after such emergency discontinuance. Water service to such property shall not be restored until the unprotected cross connection has been eliminated.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon passage and publication as provided by law.

Passed and adopted this 9<sup>th</sup> day of August, 2012.

  
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John Kimmel, Mayor

Attest:

  
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Angela Berg, City Clerk

Date of passage: August 9, 2012

Date of publication: August 16, 2012