



Legislation Details (With Text)

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Effective date:

Title: A substitute ordinance relating to plumbing and public water supply cross-connection control regulations and surveys.

Sponsors: THE CHAIR

Indexes: PLUMBING CODE, WATER WORKS, WISCONSIN DEPARTMENT OF NATURAL RESOURCES

Attachments: 1. Cover Letter, 2. Hearing Notice List 10-7-14, 3. Hearing Notice List 1-31-12, 4. Notice Published on 10-30-14

Date	Ver.	Action By	Action	Result	Tally
1/18/2012	0	COMMON COUNCIL	ASSIGNED TO		
1/26/2012	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/31/2012	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:1
9/30/2014	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/30/2014	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/30/2014	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/30/2014	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/30/2014	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/30/2014	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/30/2014	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/7/2014	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
10/7/2014	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	SUBSTITUTED	Pass	5:0
10/14/2014	1	COMMON COUNCIL	PASSED	Pass	14:0
10/23/2014	1	MAYOR	SIGNED		
10/30/2014	1	CITY CLERK	PUBLISHED		

111247
SUBSTITUTE 1

THE CHAIR
A substitute ordinance relating to plumbing and public water supply cross-connection control regulations and surveys.
97-12-1 am

97-12-2 am
97-12-4-a am
97-12-4-c am
97-12-4-d am
97-12-4-g am
97-12-4-h am
97-12-5-b am
97-12-5-c am
97-12-6 rc
97-12-7 am
97-12-9-a am

This ordinance makes various minor revisions to the regulations and survey procedures relating to cross-connections of building plumbing systems with the public water supply system. These changes are intended to make the city's code consistent with new Wisconsin department of natural resources regulations.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 97-12-1 and 2 of the code is amended to read:

97-12. Cross-Connection Control Regulations.

1. PURPOSE. The purpose of this section is to protect consumers and the public water supply system of the city from the possibility of contamination or pollution due to >>, but not limited to, << a backflow >>, a backsiphonage or the interconnection << of contaminants into ~~[[building plumbing and/or into]]~~ >>a building's plumbing system or << the public water supply ~~[[system]]~~ .

2. ADOPTION OF STATE CODE. ~~[[Chs. Comm 82 to 87 and 90]]~~ >>Chs. SPS 381 to 387 and 390 << , Wis. Adm. Code, as amended, >>s. NR 810.15, Wis. Adm. Code, as amended, << and ch. 145, Wis. Stats., as amended, are adopted by reference and incorporated into this section to the extent and with the limitations provided by this section.

Part 2. Section 97-12-4-a, c, d, g and h of the code is amended to read:

4. DEFINITIONS.

a. "Backflow" means the unwanted reverse flow of liquids, solids or ~~[[grease due to backpressure or backsiphonage]]~~ >>gases <<.

c. "Backsiphonage" means ~~[[a backflow created by a pressure lower in the public water supply system than in the private consumer water piping system]]~~ >>the creation of a backflow as a result of negative pressure << .

d. "Commercial premises" means >>a << commercial or industrial premises or >>a << residential dwelling of ~~[[5]]~~ >>3 << or more units.

g. "Person" means ~~[[a natural person]]~~ >>an individual << , sole proprietorship, partnership, limited liability company, corporation or association.

h. "Residential premises" means one ~~[[, 2-3 and 4 family]]~~ >>or 2-family << dwellings.

Part 3. Section 97-12-5-b and c of the code is amended to read:

5. PROHIBITIONS.

b. No person shall remove or permit to be removed a cross-connection control device >>or method<< .

c. No person shall establish an interconnection whereby any water from private, auxiliary or emergency water supply other than the regular public water supply of the city may enter >>the<< building plumbing or the public water supply system of the city unless the private, auxiliary or emergency water supply and the method of connection and use of the supply shall have been approved by the water works and by the Wisconsin department of natural resources in accordance with s. ~~[[NR 811.09]]~~ >>NR 810.15(2)<< , Wis. Adm. Code.

Part 4. Section 97-12-6 of the code is repealed and recreated to read:

6. CROSS-CONNECTION CONTROL PROGRAM. The water works shall develop and implement a comprehensive cross-connection control program for the elimination of all existing unprotected cross-connections and prevention of all future unprotected cross-connections to the last flowing tap or end-use device. The cross-connection control program shall include:

a. Conducting a survey of each residential premises a minimum of once every 20 years, on a schedule matching meter replacement. For normal kitchen and bathroom fixtures on residential premises, public education materials may be provided in lieu of surveys of those fixtures, as long as those materials are provided to the customer not less than every 3 years and with every cross-connection survey.

b. Conducting a survey of each commercial premises and each public authority service a minimum of once every 10 years. However, for a commercial premises with a risk of cross-connection similar to or less than a residential premises, the survey schedule may be the same as described in par. a.

c. Maintaining results of all surveys until corrections and follow-up surveys have been made.

d. Maintaining a complete description of the methods, devices and assemblies which will be used to protect the potable water supply. These methods, devices and assemblies shall be consistent with the provisions of s. SPS 382.41, Wis. Adm. Code.

e. Providing for the discontinuance of water service, after reasonable notice, to any premises where an unprotected cross-connection exists or where a survey could not be conducted due to denial of access. See sub. 9 for additional information.

f. Submitting to the Wisconsin department of natural resources an annual report including a total number of service connections by category and the number of surveys completed in each category for that year.

Part 5. Section 97-12-7 of the code is amended to read:

7. INSPECTIONS. ~~[[A]]~~ >>In addition to surveys conducted as part of the on-going survey program

described in sub. 6, a representative of the water works shall have the power and authority at all reasonable times, for any proper purpose, to examine any property served by a connection to the public water supply system. If entry is refused, the representative may obtain a special inspection ~~[[warranty]]~~ warrant under s. 66.0119, Wis. Stats. A copy of any testing conducted on any ~~testable~~ backflow preventer shall be provided to the water works. Upon request by a representative of the water works, the owner, ~~his or her agent,~~ lessee or occupant of any property so served shall furnish to the inspection agency any additional pertinent information regarding the piping system or systems on the property if the information is known to the owner, ~~agent,~~ lessee or occupant.

Part 6. Section 97-12-9-a of the code is amended to read:

9. DISCONTINUANCE OF SERVICE.

a. The water works shall discontinue water service to any property wherein any connection in violation of this section exists ~~>>or where a survey could not be conducted due to denial of access,~~ and take any other precautionary measures deemed necessary to eliminate any danger of contamination of the public water supply system. Water service may be discontinued only after reasonable notice and opportunity for a hearing pursuant to s. 320-11, except as provided in par. b. Water service to the property shall not be restored until the cross-connection has been eliminated in compliance with this section ~~>>or access for a survey has been provided<< .~~

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

Milwaukee Water Works

LRB135896-2

JDO

09/26/2014