



Legislation Text

File #: 971171, Version: 1

971171
SUBSTITUTE 1

THE CHAIR

Substitute ordinance relating to retroactivity of plumbing code enforcement of cross connections which are identified as potential health hazards.

225-02 cr

- Analysis -

This ordinance makes certain plumbing provisions, ss. Com 82.21, 82.30, 82.31 and 82.41, Wis. Admin. Code, retroactive if upon inspection a plumbing inspector determines that an existing plumbing system, or any part thereof creates a condition that tends to cause a potential health hazard. This ordinance will give the department of building inspection the authority to issue orders for all existing plumbing systems that create conditions that tend to cause potential health hazards to be brought into compliance with the current code.

Whereas, Section NR 811.09, Wis. Admin. Code, prohibits water systems interconnections and requires the supplier of municipal water systems to develop and implement a comprehensive program for the elimination of all existing cross connections and the prevention of all future cross connections, and the code indicates that the cross connection control program shall include "local authority for implementation of the program, such as ordinance or rule"; and

Whereas, The American Water Works Association policy on Water Supply Matters states the purveyor of a water supply, in order to maintain a safe water supply system, must regulate cross connection control through rules, regulations and recommendations of the plumbing code enforcement agencies having jurisdiction; and

Whereas, Cross connections can cause a water system to become contaminated by allowing "used" water to be back-siphoned into a building's water supply. This contaminated water may enter the outside water system, potentially contaminating the entire system. The contamination may be chemical or bacterial and can cause problems ranging from minor stomach ailments to serious illness or even death. Individuals who use the contaminated water may also suffer external problems such as skin rash or burn. Contaminated water is considered a health hazard; now, therefore,

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

Part 1. Section 225-02 of the code is created to read:

225-02. Retroactivity of Various Wisconsin Administrative Code Plumbing Provisions. Sections Com 82.21, 82.30, 82.31 and 82.41, Wis. Adm. Code, as amended, shall apply retroactively if upon inspection of any part of an existing plumbing system a condition is identified that tends to create a potential health hazard. If such a condition is identified by the department, then the plumbing system or any part thereof shall be repaired, renovated, replaced, or removed in conformity and compliance with ss. Com 82.21, 82.30, 82.31 and 82.41, Wis. Adm. Code, as amended.

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: _____

City Attorney

DRH:bss

10/28/97

BSWEEN:DHALBROO:sec22502

LRB97603.1

BJZ/bsw

11/06/97