

Town of Grafton Ordinance No. 2009-06

**AN ORDINANCE ADDING
CHAPTER 7 TO TITLE 4
OF THE CODE OF ORDINANCES, TOWN OF GRAFTON, WISCONSIN**

WHEREAS, it is deemed to be in the best interest of the Town of Grafton that the Municipal Code of the Town of Grafton be further modified and amended in the manner hereinafter more particularly set forth;

WHEREAS, a Notice of Public Hearing before the Town Board was duly published in the *News Graphic* on November 24, 2009 and December 1, 2009 as required by Section 9.1.11 of the Code of Ordinances, Town of Grafton, Wisconsin; and

WHEREAS, a public hearing was held before the Town Board on December 9, 2009, regarding the proposed amendments to the Town's Code of Ordinances; and

WHEREAS, based on the above, it is deemed to be in the best interest of the Town of Grafton that the Municipal Code of the Town of Grafton be further modified and amended in the manner hereinafter more particularly set forth below;

NOW, THEREFORE, the Town Board of the Town of Grafton does hereby ordain as follows:

Section 1

The following provisions shall be incorporated into Title 4 of the Town of Grafton’s Municipal Code as Chapter 7:

Title 4 – PUBLIC WORKS

**Chapter 7 – CROSS-CONNECTION/BACKFLOW PREVENTION
FOR TOWN OF GRAFTON PROPERTIES SERVED BY THE
VILLAGE OF GRAFTON WATER SYSTEM**

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Title 4 – Public Works, Chapter 7 – Cross-Connection/Backflow Preventions

4.7.1 Definition.

A cross-connection shall be defined as any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the Village of Grafton 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 such flow dependent on the pressure differential between the two systems.

4.7.2 Purpose.

No person, firm or corporation located within the Town of Grafton who obtains potable water from the Village of Grafton water system shall establish or permit to be established or maintain or permit to be maintained any cross-connection(s). No interconnection shall be established whereby potable water from a private, auxiliary, or emergency water supply may enter the supply or distribution system of the Village of Grafton unless such private, auxiliary, or emergency water supply and the method of connection and use of such supply shall have been approved by the Village of Grafton Water Utility and the Wisconsin Department of Natural Resources in accordance with Section NR 811.09(2), Wisconsin Administrative Code.

4.7.3 Inspections.

It shall be the duty of the Village of Grafton Water Utility Director and/or his/her authorized designee to cause inspections to be made of all properties located in the Town of Grafton served by the Village of Grafton water system where a cross-connection with the Village of Grafton's public water system is deemed possible. The frequency of inspections and re-inspections based on potential health hazards involved shall be as established by the Village of Grafton Water Utility as approved by the Wisconsin Department of Natural Resources.

4.7.3.1 Residential Inspections.

At a minimum, inspections of residential properties, which are subject to inspection pursuant to Section 4.7.3, shall be performed by Village of Grafton Water Utility personnel prior to the closing of any proposed sale of such a property and also at the time of any meter maintenance or replacement activity. The closing inspections must be scheduled at least forty-eight (48) business hours (Monday-Friday) in advance of the closing on the sale of the property. Any inspection that is scheduled less than forty-eight (48) business hours prior to the closing will be subject to a Twenty-Dollar (\$20.00) surcharge. Inspected properties that are found to be compliant with the Village of Grafton's cross-connection control requirements will be issued a Certificate of Compliance by the Village of Grafton. The Certificate of Compliance is valid for a period of twelve (12) months following the date of the inspection. If the installation of inside or outside hose bib backflow preventers are required to achieve time-of-sale compliance, such backflow preventers must be provided and installed by Village of Grafton Water Utility personnel and will be billed to the homeowner on the inspection fee statement. Hose bib backflow preventers that are required and provided by the Village of Grafton Water Utility during any other compliance inspection will be billed to the homeowner on the next water billing statement. Correction of any other type of

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cross-connection or backflow prevention non-compliance issues that are identified by Village of Grafton Water Utility personnel during an inspection are the responsibility of the homeowner. Backflow preventers that are provided and installed by the Village of Grafton Water Utility will be warranted for a period of twenty-four (24) months.

4.7.3.2 Industrial, Commercial and Public Authority Inspections.

Cross-connection control inspections of industrial, commercial and public authority properties subject to inspection pursuant to Section 4.7.3 shall be conducted every two to six years depending upon the property's "hazard classification" as determined during the initial inspection of the property. All inspections will be scheduled in advance by the Village of Grafton Water Utility and performed by a contractor on behalf of the Village of Grafton Water Utility.

4.7.4 Right-of-Entry.

Upon presentation of credentials, the Village of Grafton Utility Director and/or his/her authorized designee shall have the right to request entry at any reasonable time to examine any property located in the Town of Grafton that is served by a connection to the public water system of the Village of Grafton for the presence of cross-connection(s). If entry is refused, the Village of Grafton shall obtain a special inspection warranty under § 66.0119, Wisconsin Statutes. On request, the owner, lessee or occupant of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property.

4.7.5 Discontinuance of Water Service.

The Village of Grafton Water Utility is hereby authorized to discontinue water service to any property located within the Town of Grafton wherein any cross-connection in violation of this Ordinance exists, and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the Village of Grafton's public water system. Water service shall be discontinued only after reasonable notice and opportunity for a hearing under Chapter 68, Wisconsin Statutes, except as provided below in Section 4.7.6. Water service to such property shall not be restored until the cross-connection(s) has been eliminated in compliance with the provisions of this Ordinance.

4.7.6 Emergency Discontinuance of Water Services.

If it is determined by the Village of Grafton Water Utility that a cross-connection or an emergency endangers the public health, safety or welfare and as such requires immediate action, and a written finding to that effect is filed with the Village of Grafton Clerk and delivered to the homeowner's premises, water service may be immediately discontinued. The homeowner shall have an opportunity for a hearing under Chapter 68, Wisconsin Statutes, within ten (10) days of such emergency discontinuance.

4.7.7 State Plumbing Code.

This Ordinance does not supersede the State Plumbing Code (Section 7.7.6.03), but is supplementary to it.

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Table of Authorities

Wisconsin Statutes Cited in Title 4, Chapter 7

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Section 2.

Except as hereinabove specifically modified and amended, the Code of Ordinances, Town of Grafton, Wisconsin, shall remain in full force and effect exactly as originally adopted and previously amended. All ordinances or parts of ordinances inconsistent with or in contravention of the provisions of this Ordinance are hereby repealed.

Section 3.

This Ordinance shall take effect and be in full force from and after its passage and publication or posting.

Adopted by the Town Board of the Town of Grafton, Ozaukee County, Wisconsin, at its regularly scheduled meeting on this 9th day of December, 2009.

Date Adopted:

December 9, 2009

Lester A. Bartel, Jr.
Town Board Chairman

Date Published/Posted:

December 11, 2009

Jessica C. Schmidt
Town Clerk

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