

## **ORDINANCE 2023-001**

### **AN ORDINANCE CREATING ARTICLE VII OF CHAPTER 286 WATER OF THE MUNICIPAL CODE OF THE TOWN OF LAWRENCE RELATING TO PRIVATE WATER SYSTEM INSPECTION, MAINTENANCE AND OPERATION**

**Whereas,** The Town Board hereby determines that providing and maintaining a safe water supply is a vital priority and delivers the highest quality drinking water to its customers.

**Whereas,** It also provides for the safety and general welfare of customers via the provision of a strong and robust firefighting water supply.

**Whereas,** The Town Board ensures that its Public Water System, Lawrence Water Utility, is properly inspected, maintained and is fully operational, and it intends to ensure that customers indirectly served by Private Water Systems are also properly inspected, maintained and are fully operational. This is extremely important because the operation of Private Water Systems affect the safety water supply of customers as well as the efficient operation of the Public Water Utility. Private Water Systems are also highly important components of the firefighting water supply system.

**Therefore,** The Town Board determines that private water systems shall be inspected, maintained and operated according to established regulations, prudent management and best practices including the American Water Works Association (AWWA) and the National Fire Protection Association (NFPA) as follows:

**THE TOWN BOARD OF THE TOWN OF LAWRENCE, BROWN COUNTY, WISCONSIN DOES  
ORDAIN THAT ARTICLE VII of CHAPTER 286 OF THE WATER UTILITY CODE, BE CREATED  
TO READ AS FOLLOWS:**

Section 1.

#### **286-56 – General.**

- A. Owners of private water distribution systems shall be responsible for ensuring that their system is inspected, maintained, and operated to provide an adequate quantity of safe drinking water to those consumers served and for firefighting purposes. This responsibility includes maintaining or contracting for an adequate number of trained staff to perform all duties necessary, performing maintenance and replacement of watermain and appurtenances when necessary to keep the facilities in good operating condition. This responsibility also includes ensuring that sufficient fiscal resources are available for needed repairs and eventual system replacement.

#### **286-57 – Applicability.**

- A. Owners of the following water systems, located on private property, shall comply with the private water system maintenance requirements of this section if they have any of the following:
  - (1) Systems that have a valve or a fire hydrant.
  - (2) Systems that have water service to a building or a curb stop from a watermain.
  - (3) Systems that serve more than one building.

- (4) Systems that exceed a combined 150 feet of watermain and or service piping measured from the right of way.

**286-58 – Certified operator requirements.**

- A. Owners of private water system shall have a designated operator-in-charge that meets the appropriate experience and examination requirements to hold a valid waterworks certificate for a Distribution (D) subclass, operate and maintain the system.
- B. The owner of a private water system shall designate to the water utility the name and a 24 hours a day contact information of the operator-in-charge of the water system.
- C. Only the operator-in-charge or persons supervised by the operator-in-charge may operate the private water system. The operator-in-charge shall coordinate all private water system operations with the water utility providing two working days' notices before operating any fire hydrant or valve.
- D. No person may use or take water from a private water system except for the purpose of extinguishing a fire; or operate valves or hydrants, or damage or impair a private water system; such persons shall be subject to fine per Town Ordinance Chapter 286, Article VII.

**286-59 – Operational requirements.**

- A. Owners of private water systems shall operate the system so as not restrict water pressure or flow at all locations within their water distribution system under normal operating conditions.
- B. Owners of private water systems shall maintain current fire flow studies and documentation showing the fire flow capability of the system. The private water system owner shall notify the fire chief in writing of the location of all fire hydrants that are temporarily out of service or cannot maintain 500 gpm at 20 psi at ground level.

**286-60 – Private water system maintenance activities.**

- A. Unless an alternate schedule is approved by the water utility, owners of each private water system shall perform all the following:
  - (1) *Valve exercising.* All distribution system valves shall be exercised, consistent with water utility policy, at least once every two years.
  - (2) *Hydrant exercising.* All hydrants shall be exercised, consistent with water utility policy, at least once every two years.
  - (3) *Hydrant/valve maintenance, inspection, and fire flow testing.* Hydrants and valves shall be inspected annually and maintained in proper working condition, consistent with the manufacturer's recommendations, American Water Works Association (AWWA) and National Fire Protection Association (NFPA) standards. Fire hydrants shall be flow tested occasionally sufficient to demonstrate current flow rates.
  - (4) *Flushing dead-end mains.* Mains shall be flushed to remove sediment or water of poor quality, consistent with water utility policy, at least once every two years.
  - (5) *Leakage detection.* Mains, valves, hydrants, and services shall be inspected for leaks according to AWWA M36, consistent with that of the water utility policy, at least once every year. Water systems that are master metered at the right of way are exempt from annual leak detection maintenance requirement.

- (6) *Hydrant sandblasting and painting.* Hydrants shall be sandblasted, primed, and painted chrome yellow, caps shall be color coded to the fire flow rate per NFPA, consistent with water utility policy, as needed, but not to exceed once every eight to ten years.
- (7) *Repair leaks.* Repair leaks that have been identified in a timely manner:
  - (a) Significant surfacing leaks within eight hours.
  - (b) Surfacing leaks within eight hours to one day.
  - (c) Minor (barely visible) surfacing leaks within one day to three days.
  - (d) Non-surfacing detectable leaks within one to two weeks.
- (8) *Additional maintenance.* Perform all additional prudent watermain and appurtenance maintenance, repairs, or replacements per AWWA and NFPA as necessary to keep the facilities in good operating condition, typically within four to six weeks of detection.
- (9) *Cost for services performed by the town shall be placed on the tax roll.* Should the town, its employees or contractors perform any work at the request of a private system or perform any work for an immediate safety issue on a private water system, the town will place the charges for its time and expense on the tax roll of the property pursuant to Wis. Stats. §66.0627 or by any other manner allowed by law.

**286-61 – Record keeping.**

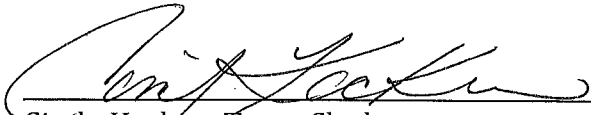
- A. Owners of private water systems shall provide records and documentation of private water system inspections, maintenance, and operations to the town water utility:
  - (1) Provide documentation of a valid service contract that authorizes the performance of needed maintenance and emergency repair work should the need arise.
  - (2) Provide and maintain detailed water system as constructed plans and a list of materials, parts, and equipment that the system is constructed of.
  - (3) Provide copies of all maintenance contracts, test records, reports and verification of payment documenting required system maintenance activities have taken place.

Section 2. All ordinances or parts of ordinances, in conflict herewith are hereby repealed.

Section 3. This ordinance shall take effect upon its adoption and publication.

Approved this 27<sup>th</sup> day of March, 2023.

  
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Lanny Tibaldo, Town Chair

  
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Cindy Kocken, Town Clerk

