

**VILLAGE OF WINDSOR  
ORDINANCE 2019-08**

**AN ORDINANCE TO PROVIDE A PROGRAM FOR PROTECTING THE PUBLIC WATER SYSTEM FROM CONTAMINATION DUE TO BACKFLOW OF CONTAMINANTS THROUGH THE WATER SERVICE CONNECTION INTO THE PUBLIC WATER SYSTEM**

WHEREAS, Chapters NR 810 and COMM 82, Wisconsin Administrative Code, 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;

NOW, THEREFORE: the Village Board of the Village of Windsor, Dane County, Wisconsin do ordain as follows:

**SECTION 1.** Section 51-9 of the Code of Ordinances is hereby amended to read as follows:

**Sec. 51-9. – Cross Connection Control**

1. DEFINITION OF CROSS CONNECTION. A cross connection is defined as any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the Village of Windsor'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. A permitted and approved interconnection to another potable public water system is not considered a cross connection, as defined in this Cross Connection Control Ordinance.

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 ch. COMM 82, Wisconsin Administrative Code.

3. INSPECTION. The water utility may inspect, or arrange for an inspection of, property served by the public water system for cross connections. The frequency of inspections shall be established by the water utility in accordance with Wisconsin Administrative Code. Any unprotected cross connections identified by the inspection shall be promptly corrected. Failure to promptly correct an unprotected cross connection shall be sufficient cause for the 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 water utility shall have the right to request entry, at any reasonable time, to a property served by a connection to the public water system for the purpose of inspecting the property for cross connections. Refusing entry to such utility representative shall be sufficient cause for the 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 Section 66.0119 of the Wisconsin Statutes, may be obtained.

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

6. DISCONTINUATION OF WATER FOR VIOLATION. The water utility may discontinue water service to any property wherein any unprotected connection in violation of this ordinance exists, and take other precautionary measures deemed necessary to eliminate any danger of contamination of the public water system. Water service may be discontinued, however, only after reasonable notice and opportunity for hearing under Chapter 68, Wisconsin Statutes, except as provided in paragraph 7 of this ordinance. Water 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 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 Village Clerk and delivered to the customer's premises, water service may be immediately discontinued. The customer shall have an opportunity for hearing under Chapter 68, Wisconsin Statutes, within 10 days of such emergency discontinuance. Water service to such property shall not be restored until the unprotected cross connection has been eliminated

8. OPENING OR ESTABLISHING CROSS-CONNECTIONS TO FIRE HYDRANTS .

(1) Opening of fire hydrants . Only such persons as shall be authorized by the Windsor Water Utility or the Chief of the DeForest Windsor Fire District shall be permitted to open any fire hydrant for any purpose whatsoever and no one except such person shall be permitted to take the hydrant wrenches or suffer the same to be taken from any fire station except for fire district or other authorized purposes.

(2) Cross connection to fire hydrants. Except as allowed in the subsection above, no person shall establish a cross-connection or attempt to establish any connection to a fire hydrant unless:

a. The connection is made at a fire hydrant that has been equipped by the Water Utility with an approved reduced pressure principle backflow preventer; or

b. Cross-connection control device or device(s) recognized and approved under Wis. Admin. Code ch. SPS 384, inclusive of all future amendments, are utilized to make the connection and authorization has been granted by the Village Director of Public Works or designee, or Chief of the Fire District or designee.

9. PENALTY. Any person violating this section may be subject to a forfeiture of not less than \$200.00 and not more than \$2,000.00. Each time a fire hydrant is opened, and each time a cross-connection is established or attempted under this section shall constitute a separate offense; and each day any single violation continues shall be considered a separate violation.

10. INSPECTION COSTS. Costs incurred by the Utility to conduct all typical Cross Connection Control inspections and reporting shall be recovered from the Utility's water rate structure. However, the Village Director of Public Works or designee (with approval of the Utility's governance) may require a specific property owner to pay all costs or a portion of the costs associated with the inspection of the property, if any one of the following conditions is satisfied:

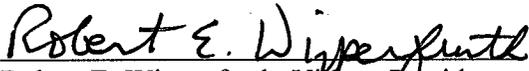
a. The frequency of inspection and/or number and types of connections to be inspected are greater than a typical residential property, which takes more time or requires specialized training from an Independent Contractor hired by the Village to perform the required inspection.

b. For other reasons the inspection results in greater cost to the Utility than a typical residential property.

**SECTION 2.** This Ordinance shall become effective upon passage and publication as provided by law.

The above and foregoing Ordinance was duly adopted at a meeting of the Village Board of the Village of Windsor held on April 18, 2019 by a vote of 5 in favor and 0 opposed.

**VILLAGE OF WINDSOR**

  
Robert E. Wipperfurth, Village President

*Attested by:*

  
Christine Capstran, Village Clerk

Published: 4-25-19

Effective: 4-26-19