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5.01 EXTENSIONS, COUNCIL ORDER

Extension of water mains and sewers will be made in units of one block, when it is determined by the common council to be in the best interest of the public or necessary for public health and safety. (208)

5.02 CONTENTS OF PETITIONS AND RESOLUTIONS

All petitions requesting and all resolutions ordering sewer and water extensions shall include the following provisions: "It is agreed that the front foot charge shall be figured on the rate set by resolution in effect on the date that this project of sewer and/or water extension is commenced. Each block shall be considered a separate project."

5.03 CHARGES FOR WATER AND SEWER EXTENSIONS

- (1) Water mains and sewer extensions shall be assessed according to the front footage of a lot abutting such streets where water mains and/or sewer extensions serve said lots except: (MC#120)
 - (a) Property abutting upon streets shall be assessed in relation to frontage of the lot measured at a line 25 feet back from the lot line.
 - (b) Charges for Water and Sewer Improvements. Property abutting two or more streets shall be exempt from assessment for sewer and/or water improvements upon the second or third side to the extent of the frontage on the first side, not exceeding 135 feet; provided the owner thereof agrees to pay the current assessment of any new lot created on said second or third frontage. (MC#18)
 - (c) Properties not abutting on streets containing sewer and/or water mains shall, upon attachment to available sewer and/or water mains, pay an assessment based upon the short side of its frontage, except that in the event sewer and/or water mains are extended into the street abutting said property it shall be assessed the frontage upon such street less the frontage previously assessed for. (MC#55)
 - (d) Charges for interceptor sewer extensions (24" or larger) in active TIF areas shall be assessed at 40 percent of the rate set forth by the common council. (MC#537)
- (2) Charges for water and sewer extensions shall be based on actual installation costs. (MC #1236)

5.04 PROCEDURE FOR LIEN FOR CHARGES

It shall be the duty of the city clerk to cause notice to be served upon the owner of each lot or parcel of land in front of which sewer and water extensions shall have been ordered, as well as arrange for the publication of the final resolution approving the extensions, and unless sewer and water stub taps shall be installed prior to the beginning of a resurfacing project or at the time a sewer and water project reaches such owner's property, then the city shall proceed to make such installation and the charges for installing the same in front of each lot or parcel of land, whether the work to be done by contract or otherwise, shall be in accordance with the procedures of this ordinance and entered in the tax roll as a special tax and become a lien against each said lot or parcel of land, and the same shall be collected in all respects like other special assessments upon real estate.

5.05 SEWER AND WATER STUB TAPS (MC#1132)

(1) Sewer and/or water stub taps shall be installed:

- (a) Whenever any new sewer and/or water extensions are made.
- (b) Before curb and gutter is installed.
- (c) Before any street or public alley is hard surfaced or oiled.
- (d) Along said street to a point inside the lot line on both sides of said street, one such stub to be required and installed for each lot fronting thereupon according to the duly recorded plat thereof, except in subdivision containing lots less than 75 foot frontage, where stub taps may be installed at intervals not to exceed 75 feet or each 75 foot frontage, except street and alley crossings, along such streets where the lots have not been platted and recorded. Exceptions may be granted if the owner submits a proposed development plan to the engineering department for review and approval. When water extensions only are made water stub taps shall be installed to every dwelling house or other building used for human habitation, manufacturing or trade but shall not be required to be installed in accordance with section (4) until sewer extensions have been made and sewer stub taps are to be installed.

(2) Ownership

- (a) The City of Wisconsin Rapids Water Works and Lighting Commission owns and is responsible for maintaining the water stub tap (lateral or lead) from the main to the curb valve or service valve, whether the valve is adjacent to or on private property. The City of Wisconsin Rapids Water Works and Lighting Commission owns and maintains the curb valve and service valve, whether the valve is adjacent to or on private property. The property owner owns and is responsible for maintaining the water stub tap (lateral or lead), from the curb valve or service valve into the building structure, including the valve on both sides of the water meter. The City of Wisconsin Rapids Water Works and Lighting Commission owns the water meter. Any water main or water stub tap (lateral or lead) not in the public right of way, or in a permanent easement on private property, or identified as the property owner's responsibility in a development agreement, shall be the property owner's responsibility. (MC#1159)
- (b) The City of Wisconsin Rapids is responsible for the sanitary sewer main. The property owner is responsible for the sanitary sewer stub tap (lateral or lead) from the sanitary sewer main to the end of sanitary sewer stub tap. If the sanitary sewer stub tap (lateral or lead) is installed by City of Wisconsin Rapids crews or by the City's contractor there is a five year warranty on workmanship and materials. The City of Wisconsin Rapids is not responsible after the warranty expires for the sanitary sewer stub tap (lateral or lead). (MC#1210)

5.06 WHERE STUB TAPS ARE NOT REQUIRED

Stub taps shall not be required in the following areas:

- (1) Vacant lot or portion of a lot which is too small for a house to be built upon under the city building code or zoning ordinance and except when the present dwelling located on portion of two or more lots precludes the possibility of another dwelling being placed thereupon.
- (2) Heavy industrial areas.
- (3) Light industrial areas.
- (4) Recreational or educational properties of the city.
- (5) Recreational, educational or religious properties, privately owned.
- (6) Such other properties shall be exempt from this ordinance as shall be determined by the council and in such case the present owner on his own behalf and in behalf of his heirs, successors and assigns shall enter into an agreement with the city that, in the event the property exempted be used for other purposes, then the terms and conditions of this ordinance shall apply thereunto.

5.07 CHARGES FOR SEWER AND WATER STUB TAPS

- (1) Charges for sewer and/or water stub tap installations shall be revised and set by the common council, by resolution, based upon the average of the previous three calendar year cost experience. If the total special assessment levied exceeds the total cost, these charges will be reviewed by the common council and reduced proportionally. (MC#467)

5.08 REGULATING THE TAPPING OF SEWERS

- (1) Any person or persons desiring to tap sewers in the City of Wisconsin Rapids shall, before doing the same, secure the written permission of the plumbing inspector and the director of public works (or his authorized agent), signed by the plumbing inspector and the director of public works (or his authorized agent). (MC#813)
- (2) Such sewer tap must be made at the tap (Y) that is installed by the city in front of every lot. No person or persons shall be allowed to tap into the sewer main except at such (Y). The location of such (Y) is available on the map at the office of the director of public works. (MC#813)
- (3) The only exception to the above requirement shall be in the case where the tap is to be made into an old sewer that did not have such (Y) installation made. Such old sewers without the (Y) connection are so indicated on the map in the city engineer's office. Any person or persons desiring to tap into such old sewer must also follow the rule of Section 1, and secure the written permission on the plumbing inspector and the city engineer, and such connection or tap shall be made under the supervision and subject to the control of the city engineer. It shall be required that any person, persons, or firms desiring to tap into city sewers or who are re-laying their sewer service to the city sewers, shall use schedule 40 PVC (polyvinyl chloride)sewer pipes from their property line to the city sewer. (149) (MC #1207)

5.09 REQUIRING SEWER AND WATER CONNECTIONS

- (1) Connections Required Where Available. The owners of dwelling houses or other buildings used for manufacturing or trade in the City of Wisconsin Rapids shall cause such buildings to be connected to the public sewer and/or water supply systems within 30 days after such sewer and/or water systems are accessible thereto. The manager of the water department shall notify the plumbing inspector when the public water supply is accessible to such premises, and the director of public works (or his authorized agent) shall notify the plumbing inspector when the public sewer system is accessible to such premises. The plumbing inspector, upon receiving such notification, shall inform the city health officer of such circumstances and the city health officer shall make investigation and determine whether such connection is necessary to assure the preservation of the public health, comfort and safety. (MC#813)
- (2) Order and Action on Non-compliance. Upon such determination, the plumbing inspector shall issue an order requiring such owner to connect his building or buildings with the public sewer and/or water system. Such order shall be delivered to the owner by registered mail. The owner shall report the day of completion thereof to the plumbing inspector. In the event that the owner does not comply with that order, the city shall, at its option, bring an action for the violation of this ordinance or proceed to have such connection made by a licensed plumber, under the direction of the director of public works (or his authorized agent), and charge the cost of such work as a special tax against such property. (MC#813)

5.10 CONSTRUCTION OF PRIVIES AND CESSPOOLS

- (1) Location and Condition. No privy or cesspool shall be built, erected or maintained on any lot or premises in the city within 50 feet of any residence, 10 feet from any street line, five feet from any lot line, or within 25 feet of the door or window of any factory or building used by man. All privies, cesspools and septic tanks shall be maintained in a sanitary manner and all privies shall be properly screened against insects and protected against rodents.
- (2) Nonconformity Declared Nuisance. Any water closet, sink, privy, cesspool or septic tank existing or being maintained which does not conform to the requirements of this section shall be and is hereby declared a nuisance dangerous to the public health and the health officer shall order abatement of such nuisance in accordance with the Statutes of Wisconsin.
- (3) Non-connection unlawful. It shall be unlawful for any person, firm or corporation to build, erect, construct, keep or maintain or cause to be built, constructed, kept or maintained any privy or surface closet abutting any street, avenue or public alley or way along which the city maintains a sewer line and water main, or upon any lot accessible thereto.
- (4) Inadequate Facilities Unlawful. It shall be unlawful to build, erect, keep or maintain any building to be occupied by one or more persons without providing and maintaining for use of such occupants, adequate water closets

connected with the city sewer so as to empty the contents thereof into said sewer or without providing a sanitary surface privy built according to plans and specifications approved by the city plumbing inspector, where sewer and water connections are not available.

- (5) Duties Delegated to Officers. It shall be the duty of the local health officer and the plumbing inspector to strictly enforce the provisions of this ordinance and to see that all violations thereof are promptly abated and the violators thereof are prosecuted. (207)

5.11 AREA IN WHICH WATER SERVICE IS TO BE EXTENDED BEYOND THE CITY LIMITS

- (1) Limitation of Territory for City Water. In order to provide adequate fire protection for persons and property within the corporate limits of the city of Wisconsin Rapids and so as to insure protecting the public health and safety of residents of the said city without placing any undue financial burden upon the city taxpayers and to effectively coordinate water department operations with other municipal public works activities, (and for the purpose of conserving the available water supply) it is hereby determined that it is necessary to specifically limit the territory in unincorporated areas which the municipal water utility holds itself to serve. (159)
- (2) Specific Boundaries. Although the City of Wisconsin Rapids has heretofore provided water service in a limited area outside the corporate limits, there has been no formal delineation of the specific boundaries of the territory which the city has undertaken to serve. Based upon a survey of the outside area now served the City of Wisconsin Rapids herewith acts pursuant to Section 66.069(2)(c) of the Wisconsin Statutes to restrict its holding out to provide water service in unincorporated areas to the territory specifically set forth as follows:
- (a) Mini Lutz, 610 20th Street North
 - (b) Right of Further Limitation. The City of Wisconsin Rapids reserves the right to further limit such area by subsequent action.
 - (c) Certified Copy. The city clerk shall transmit a certified copy of this ordinance to the Public Service Commission of Wisconsin. (159)

5.12 IMPROVEMENTS ELIGIBLE FOR INSTALLMENT PAYMENTS

- (1) Definitions. For the purposes of Sections 5.12 and 5.13 the following definitions will apply:
- (a) Special Assessment Year. A "special assessment year" shall run from November 1st of the preceding year to November 1st of the current year.
 - (b) Special Assessment Year. A "special assessment year" shall run from November 1st of the preceding year to November 1st of the current year and is determined by the date of the invoice for the assessments levied.
- (2) Special assessments for the following improvements are eligible for the five, ten, or 15-year installment payment program.
- (a) sewer and/or water mains;
 - (b) sewer and/or water laterals and taps;
 - (c) public sidewalks;
 - (d) curb and gutter;
 - (e) street surfacing for which assessment is levied.

5.13 TERMS FOR REPAYMENT OF SPECIAL ASSESSMENTS (MC#1232)

The following terms shall be used in the repayment of special assessments:

- (1) Assessments levied for an improvement or combination of improvements, described in Section 5.12 (2) that totals less than \$300 in any one special assessment year must be paid in full by November 1. If it is not paid by that date, the assessment will be placed on the real estate tax bill and be due in full on or before January 31. There is no interest charged when paid in full.
- (2) For assessments levied for an improvement or combination of improvements, described in Section 5.12 (2) totaling \$300 but less than \$1,000 in any one special assessment year, if full payment is not made prior to November 1, the assessment will be placed on the five-year payment schedule on the real estate tax bill. Property owners may then pay their special assessment under two options: (1) in full without interest with the real estate taxes or (2) they may pay the first one-fifth of the assessment without interest with the current real estate tax bill. The balance is paid in equal installments on the

next four real estate tax bills and accrues interest based on the rate determined under Section 5.17. The remaining balance may be paid in full at any time with interest calculated through the month of payment.

- (3) For assessments levied for an improvement or combination of improvements, described in Section 5.12 (2) totaling \$1,000 but less than \$5,000 in any one special assessment year, if full payment is not made prior to November 1, the assessment will be placed on the ten-year payment schedule on the real estate tax bill. Property owners may then pay their special assessment under two options: (1) in full without interest with the real estate taxes or (2) they may pay the first one-tenth of the assessment without interest with the current real estate tax bill. The balance is paid in equal installments on the next nine real estate tax bills and accrues interest based on the rate determined under Section 5.17. The remaining balance may be paid in full at any time with interest calculated through the month of payment.
- (4) For assessments levied for an improvement or combination of improvements, described in Section 5.12 (2) totaling \$5,000 or more in any one special assessment year, if full payment is not made prior to November 1, the assessment will be placed on the fifteen-year payment schedule on the real estate tax bill. Property owners may then pay their special assessment under two options: (1) in full without interest with the real estate taxes or (2) they may pay the first one-fifteenth of the assessment without interest with the current real estate tax bill. The balance is paid in equal installments on the next fourteen real estate tax bills and accrues interest based on the rate determined under Section 5.17. The remaining balance may be paid in full at any time with interest calculated through the month of payment.

The Common Council acknowledges that the levy of special assessments can result in financial hardship in some instances. It therefore enacts this provision: For assessments levied for an improvement or combination of improvements, described in Section 5.12 (2) totaling \$1,500 or more in any one special assessment year, a property owner may elect to have the assessment placed on the fifteen-year installment payment schedule provided they notify the City in writing prior to November 1 in the special assessment year.

5.14 INSTALLMENT ASSESSMENT NOTICE

The city clerk shall cause to be published in the local newspaper the list of property and description of improvements to be included in the "Installment Assessment Notice" in substantially the same form of "Installment Assessment Notice" as set forth in Section 66.54(7)(e) of the Wisconsin Statute.

5.15 ASSESSMENTS INCLUDED IN INSTALLMENTS

Special assessments that qualify under sections 5.12 and 5.13 and as listed by the city clerk in the newspaper notice as set forth in Section 5.14 shall be included in the preliminary and final resolution authorizing each qualifying improvement.

5.16 PROCEDURE FOR INSTALLMENT PAYMENT

All special assessments on the improvements named in Section 5.12 and being in an amount as listed by Section 5.13 shall automatically be placed on the installment method of payment provided for said improvement, unless within 30 days from the date of publication in the local newspaper of the "Installment Assessment Notice" the owner(s) notify the city clerk of the description of his property and of his intention to pay the whole of the special assessment to the city treasurer on or before the 1st day of November following completion of the installation of the improvement for which assessment is made. If after making such election to pay the special assessment on or before the 1st day of November following the completion of the installation, the property owner shall fail to pay the whole special assessment, then the city clerk shall place the entire assessment on the next succeeding tax roll. (MC#51)

5.17 INTEREST ON INSTALLMENTS

Deferred installment payments on the unpaid balance of special assessments shall bear interest per annum at the rate equal to the U.S. Prime Rate on January 1 of the year in which the assessment was billed. (MC#1139)

5.18 BONDS, PLANS AND SPECIFICATIONS

Developers who desire to install sanitary sewer, storm sewer, water main, or other utilities shall provide plans and specifications to the Wisconsin Rapids engineering department and shall post a bond in the amount of 100 percent of the project cost.

The developer shall also file a permit with the Wisconsin Rapids engineering department. Said permit shall have been signed by the chairman of the public works committee and by the chairman of the maintenance of way committee at a regular meeting of each respective committee and by the Wisconsin Rapids director of public works (or his authorized agent). (MC#813)

Failure to comply with the accepted standards of construction of the City of Wisconsin Rapids and/or with the conditions set by the public works or the maintenance of way committee and approved by the Wisconsin Rapids Common Council shall result in the forfeiture of the bond posted.

An agreement on forms furnished by the city shall be executed by the developer prior to commencement of the work. Said agreement shall specifically outline the work to be completed by the developers.

5.19 OUTDOOR WATER USAGE RESTRICTIONS (MC#445)

- (1) The water works and lighting commission's general manager, with concurrence of the water works and lighting commission and the mayor, may impose voluntary or mandatory outdoor water usage restrictions on all water users in the City of Wisconsin Rapids. The restrictions may apply to all properties using city water or to alternate sides of the street as deemed necessary by the general manager. Alternate side restrictions would apply to even-numbered sides of the street on even-numbered calendar days and odd-numbered sides of the street on odd-numbered calendar days respectively. Restrictions may be for all day or for specified times each day. Reasons for said restrictions will be given with each notice. Notice of said restrictions shall be given to all news media in the City of Wisconsin Rapids.
- (2) Criteria for Mandatory Restrictions.
 - (a) To avoid undue stress upon the resources and reserve capacity of the water utility.
 - (b) To avoid sustained low pressure.
 - (c) To maintain reservoir levels sufficient to provide adequate fire protection.
 - (d) To compensate for loss of one or more wells.
- (3) Outdoor Water Usage Restrictions. The following restrictions would be imposed based on the needs and concerns of the water utility. The level of severity of the imposed restrictions would be based on such factors as weather conditions and/or forecasts; water distribution system pressure; reservoir levels, and groundwater levels.
 - (a) Voluntary water restrictions
 - (b) Mandatory water restrictions for specified times each day
 - (c) Mandatory water restrictions even/odd sides of the street and specified times each day
 - (d) Mandatory water restrictions on certain days of the week
 - (e) Mandatory water restrictions for complete ban of outdoor water usage
- (4) Penalty. Any person, owner, or occupant, who violates any mandatory restriction on water usage issued pursuant to this section, or fails to comply with any of its requirements, shall upon conviction thereof, be subject to a forfeiture of not less than \$20.00 nor more than \$100.00. Each day such violation continues shall be considered a separate offense.