

**CITY OF WEST ALLIS
ORDINANCE O-2023-0069**

**ORDINANCE TO CODIFY REGULATIONS REGARDING WATER AND SEWER
LATERALS AND SERVICE PIPES**

CREATING SECTION 15.04

WHEREAS, Wis. Stat. 66.0911 allows the common council to require water, heat, sewer and gas laterals or service pipes to be constructed from the lot line or near the lot line to the main or from the lot line to the building to be serviced, or both; and

WHEREAS, when that work is done by the City or under a City contract, a record of the cost of constructing the laterals or service pipes shall be kept and the cost, or the average current cost of laying the laterals or service pipes, shall be charged and be a lien against the lot or parcel served; and

WHEREAS, Wis. Stat. 281.45 says to assure preservation of public health, comfort and safety, the City may by ordinance require buildings used for human habitation and located adjacent to a sewer or water main, or in a block through which one or both of these systems extend, to be connected with either or both in a manner prescribed; and

WHEREAS, if any person fails to comply for more than 10 days after notice in writing to connect to water or sewer, the municipality may impose a penalty or may cause connection to be made, and the expense thereof shall be assessed as a special tax against the property; and

WHEREAS, the owner affected may, within 30 days after the completion of the work, file a written option with the municipal clerk stating that he or she cannot pay the amount in one sum and asking that it be levied in not to exceed 5 equal annual installments, and the amount shall be so collected with interest at a rate not to exceed 15 percent per year from the completion of the work, the unpaid balance to be a special tax lien; and

WHEREAS, Wis. Adm. Code PSC 185.85 requires the water utility to conduct water loss audits and incur additional expenses if water loss exceeds a certain percentage of water entering the distribution system;

NOW THEREFORE, the common council of the City of West Allis do ordain as follows:

SECTION 1: **ADOPTION** “15.04 Laterals And Service Pipes” of the City Of West Allis Municipal Code is hereby *added* as follows:

ADOPTION

15.04 Laterals And Service Pipes*(Added)*

1. Sewer. The owner of the property served shall construct and maintain sewer laterals or service pipes from the main to the building to be serviced.
2. Water. The City shall construct and maintain water laterals or service pipes from the main to the lot line or near the lot line, where it shall install and maintain a curb stop valve. The owner of the property served shall construct and maintain a water lateral or service pipe from the curb stop valve to the building to be serviced.
3. Manner of Connection. Pursuant to Wis. Stat. 281.45, buildings used for human habitation and located adjacent to a sewer or water main, or in a block through which one or both of these systems extend, shall be connected with both and those laterals shall be kept in good repair and maintained free of leaks.
4. Emergencies. In the event of an emergency, the water superintendent may shut off water or proceed with such repairs to private laterals or service pipes made necessary by such emergency without notification of the property owner served.
5. Noncompliance. In non-emergency situations, if any person fails to comply for more than 10 days after notice in writing, the City may do any of the following:
 - a. Impose a forfeiture upon the owner of the property served of not more than \$100 for each day of noncompliance.
 - b. Shut off water service by closing the curb stop valve.
 - c. Cause proper connection to be made, and the expense thereof shall be assessed as a special tax against the property. If, within 30 days after the completion of the work, the property owner files with the clerk a written request stating that he or she cannot pay the amount in one sum and asks that it be levied in annual installments, the amount shall be collected in 5 equal annual installments, with interest at a rate not to exceed 15 percent per year from the completion of the work. The unpaid balance during the installment period shall be a special tax lien.
6. Work Done by City. Pursuant to Wis. Stat. 66.0911, when work to repair or replace a private lateral or service pipe is done by the City or under a City contract, a record of the cost of constructing the laterals or service pipes shall be kept and the cost, or the average current cost of laying the laterals or service pipes, shall be charged and be a lien against the lot or parcel served. If a lateral or service pipe serves more than one parcel and no operation document exists, all parcels served by that lateral or service pipe shall be equally responsible for that lateral or service pipe. If the City receives an operation document that is signed by all affected owners and describes how costs shall be divided, the City shall apportion costs as described in that operation document.

Resolution R-2017-0029

SECTION 2: **EFFECTIVE DATE** This Ordinance shall be in full force and effect on and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF WEST ALLIS COUNCIL OCTOBER 17, 2023.

	AYE	NAY	ABSENT	ABSTAIN
Ald. Vince Vitale	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Ray Turner	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Tracy Stefanski	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Marty Weigel	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Suzzette Grisham	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Danna Kuehn	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Thomas Lajsic	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Dan Roadt	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Rosalie Reinke	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Kevin Haass	<u>X</u>	<u> </u>	<u> </u>	<u> </u>

Attest

Presiding Officer



Rebecca Grill, City Clerk, City Of
West Allis



Dan Devine, Mayor, City Of West
Allis

