

Chapter 378

WATER UTILITY

[HISTORY: Adopted by the Common Council of the City of Bayfield 4-1-1992 (§§ 9-1-20 through 9-1-54 of the 1992 Code of Ordinances). Amendments noted where applicable.]

GENERAL REFERENCES

Sewers — See Ch. 329.

Subdivision of land — See Ch. 474.

Wellhead protection — See Ch. 489.

ARTICLE I

Rates

[The current water rates are on file in the office of the City Clerk.]

ARTICLE II

Rules and Regulations

§ 378-1. Compliance required.

All persons now receiving a water supply from the City of Bayfield Water Utility, or who may hereafter make application therefor, shall be considered as having agreed to be bound by the rules and regulations as filed with the Public Service Commission of Wisconsin.

§ 378-2. Establishment of service.

- A. Application for water service shall be made in writing on a form furnished by the Water Utility.¹ The application will contain the legal description of the property to be served, name of the owner, the exact use to be made of the service, and the size of the supply pipe and meter desired. (Note particularly any special refrigeration and/or air-conditioning water-consuming appliances.)
- B. Service will be furnished only if:
- (1) Premises have a frontage on a properly platted street or public strip in which a cast iron or other long-life water main has been laid, or where property owner has agreed to and complied with the provisions of the Utility's filed main extension rule.
 - (2) Property owner has installed or agrees to install a service pipe from the curblin to the point of use, and laid not less than six feet below the surface of an established or proposed grade, and according to Utility's specification, and

1. Editor's Note: Throughout this chapter, references to the "Water Department" were amended to read "Water Utility" at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

- (3) Premises have adequate piping beyond metering point.
- C. The owner of a multiunit dwelling shall be served by individual metered water service to each unit. The owner, is required to provide interior plumbing and meter settings to enable individual metered service to each unit and individual disconnection without affecting service to other units. Each meter and meter connection will be treated as a separate Water Utility account for the purpose of the filed rules and regulations. [Amended 10-11-2005 by Ord. No. 331]
- D. No division of the water service of any lot or parcel of land shall be made for the extension and independent meterage of the supply to an adjoining lot or parcel of land. No division of a water supply service shall be made at the curb for separate supplies therefrom for two or more separate premises having frontage on any street or public service strip whether owned by the same or different parties.
- E. The Utility is hereby empowered to withhold approval of any application wherein full information of the purpose of such supply is not clearly indicated and set forth by the applicant property owner.

§ 378-3. Service contract.

- A. The minimum service contract period shall be one year unless otherwise specified by special contract or in the applicable rate schedule. Where the Utility service has been disconnected at the customer's request prior to expiration of his minimum contract period, a reconnection charge shall be made, payable in advance, when the customer requests reconnection of service. (See Schedule R-1 for applicable rate.²) The minimum contract period is renewed with each reconnection.
- B. A reconnection charge shall also be required from consumers whose services are disconnected (shut off at curb stop) because of nonpayment of bills when due (not including disconnection for failure to comply with deposit or guarantee rules). (See Schedule R-1 for applicable rate.³)
- C. A consumer shall be considered as the same consumer provided the reconnection is requested for the same location by any member of the same family, or if a place of business, by any partner or employee of the same business.

§ 378-4. Temporary metered supply; meter and deposits.

An applicant for temporary water supply on a metered basis shall make and maintain a monetary deposit for each meter installed, as security for payment for use of water and for such other charges which may arise from the use of the supply. A charge shall be made for setting the valve and furnishing and setting the meter. See Schedule D-1 for applicable rate.⁴

§ 378-5. Water for construction.

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2. Editor's Note: Said schedule is on file in the office of the City Clerk.
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- A. When water is requested for construction purposes, or for filling tanks or other such uses, an application therefor shall be made to the Utility, in writing, upon application provided for that purpose in the Utility's office, giving a statement of the amount of construction work to be done, or the size of the tank to be filled, etc. Payment for the water for construction shall be made in advance at the scheduled rates. The service pipe must be installed inside the building from where the water must be drawn. No connection with the service pipe at the curb shall be made without special permission from the Utility.
- B. In no case will any employee of the Utility turn on water for construction work unless the contractor first presents a permit. Upon completion of the construction work, the contractor must return the original permit to the Utility, together with a statement of the actual amount of construction work performed.
- C. Consumers shall not allow contractors, masons or other persons to take water from their premises without first showing a permit from the Utility. Any consumer failing to comply with this provision will have water service discontinued.

§ 378-6. Use of hydrants for construction; temporary supply.

- A. In cases where no other supply is available, permission may be granted by the Utility to use a hydrant. No hydrant shall be used until it is equipped with a sprinkling valve. In no case, shall any valve be installed or moved except by a member of the Utility.
- B. Before a valve is set, payment must be made for its setting and for the water to be used at the scheduled rates. Where applicable, see Schedule H-1 for deposits and charges.⁵ Upon completing use of the hydrant, the customer must notify the Utility to that effect.
- C. In the use of a hydrant supply, the hydrant valve will be set at the proper opening by the Utility when the sprinkling valve is set, and the flow of water must be regulated by means of the sprinkling valve. If the water is to be used through iron pipe connections, all such pipe installations shall have the swing joint to facilitate quick disconnection from the fire hydrant.

§ 378-7. Operation of valves and hydrants; unauthorized use of water; penalty.

Any person who shall, without authority of the Utility, allow contractors, masons, or other unauthorized persons to take water from their premises, operate any valve connected with the street or supply mains, or open any fire hydrant connected with the distribution system, except for the purpose of extinguishing fire, or who shall wantonly damage or impair the same shall be subject to a fine as provided by municipal ordinances. Permits for the use of hydrants apply only to such hydrants as are designated for the specific use.

§ 378-8. Refunds of monetary deposits.

All moneys deposited as security for payment of charges arising from the use of temporary water supply on a metered basis, or for the return of a sprinkling valve wheel or reducer, if the water is used on an unmetered basis, will be refunded to the depositor on the termination of the use of

5. Editor's Note: Said schedule is on file in the office of the City Clerk.

water, the payment of all charges levied against the depositor, and the return of the wheel and reducer.

§ 378-9. Service connections (or water laterals).

- A. No water service shall be laid through any trench having cinders, rubbish, rock or gravel fill, or any other material which may cause injury to or disintegration of the service pipe, unless adequate means of protection are provided by sand filling or such other insulation as may be approved by the Utility. Service pipes passing through curb or retaining walls shall be adequately safeguarded by provision of a channel space or pipe casing, not less than twice the diameter of the service connection. The space between the service pipe and channel or pipe casing shall be filled and lightly caulked with an oakum, mastic cement, or other resilient material, and made impervious to moisture.
- B. In backfilling the pipe trench, the service pipe must be protected against injury by carefully hand tamping the ground filling, free from hard lumps, rocks, stones, or other injurious material, around and at least six inches over the pipe.
- C. All water supplies shall be of undiminished size from the street main in to the point of meter placement. Beyond the meter outlet valve the piping shall be sized and proportioned to provide, on all floors, at all times, an equitable distribution of water supply for the greatest probable number of fixtures or appliances operating simultaneously. All such service shall comply with the provisions of the State Plumbing Code and shall be inspected by the City Building Inspector.

§ 378-10. Service piping for meter settings.

- A. In cases where a new customer whose service is to be metered installs the original service piping or where an existing metered customer changes his service piping for his own convenience, or where an existing flat rate customer requests to be metered, the customer shall, at his expense, provide a suitable location and the proper connections for the meter. The Water Utility should be consulted as to the type and size of meter setting. Where it is possible to set meters in the basement, or other suitable place within the building, a short nipple shall be inserted after the stop and waste cock, then a union, and then another nipple and coupling of the proper length. The nipple attached to the union and coupling shall be cut to a standard length provided by the plans of the Utility (it may require a horizontal run of 18 inches in such pipe line) which may later be removed for the insertion of the meter into the supply line.
- B. No permit will be given to change from metered to flat rate service.

§ 378-11. Turning on water.

The water cannot be turned on for a consumer except by a duly authorized employee of the Utility. When a plumber has completed a job, he must leave the water turned off. This does not prevent the plumber from testing the work.

§ 378-12. Failure to read meters.

- A. Where the Utility is unable to read a meter after two successive attempts, the fact will be plainly indicated on the bill, and either an estimated bill will be computed, or the minimum charge applied. The difference shall be adjusted when the meter is again read, that is, the bill for the succeeding quarter will be computed with the gallons or cubic feet in each block of the rate schedule doubled and credit will be given on that bill for the amount of the minimum bill paid the preceding month. Only in unusual cases or where approval is obtained from the customer shall more than two consecutive estimated bills be rendered.
- B. If the meter is damaged (see § 378-26, Surreptitious use of water) or fails to operate, the bill will be based on the average use during the past year unless there is some reason why the use is not normal. If the average use cannot be properly employed, the bill will be estimated by some equitable method.

§ 378-13. Complaint meter tests.

See Ch. PSC 185, Wis. Adm. Code.

§ 378-14. Thawing frozen services.

See Ch. PSC 185, Wis. Adm. Code.

§ 378-15. Stop boxes.

The customer shall protect the stop box in the terrace and shall keep the same free from dirt and other obstructions. The Utility shall not be liable for failure to locate the stop box and shut off the water in case of a leak on the consumer's premises.

§ 378-16. Installation of meters.

Meters will be furnished and placed by the Utility and are not to be disconnected or tampered with by the consumer. All meters shall be so located that they shall be protected from obstructions and permit ready access thereto for reading, inspection, and servicing, such location to be designated or approved by the Utility. All piping within the building must be supplied by the consumer. Where additional meters are desired by the consumer, he shall pay for all piping and an additional amount sufficient to cover the cost of maintenance and depreciation. See Schedule Am-1 for rate.⁶

§ 378-17. Repairs to meters.

- A. Meters will be repaired by the Water Utility and the cost of such repairs caused by ordinary wear and tear will be borne by the Utility.
- B. Repair of any damage to a meter resulting from the carelessness of the owner of the premises, his agent, or tenant, or from the negligence of any one of them to properly secure and protect same, including any damage that may result from allowing a water meter to become frozen or to be injured from the presence of hot water or steam in the meter, shall be paid for by the consumer or the owner of the premises.

⁶. Editor's Note: Said schedule is on file in the office of the City Clerk.

§ 378-18. Replacement and repair of service pipe.

- A. Where the property owner requests that a larger service lateral be installed to replace an existing smaller diameter pipe, an allowance of \$15 will be made as a deduction in the cost, providing the new service is to be installed in the same ditch as the existing service pipe.
- B. The service pipe from the main to and through the curb stop will be maintained and kept in repair and when worn out, replaced at the expense of the Utility. The property owner shall maintain the service pipe from the curb stop to the point of use.
- C. If the owner fails to repair a leaking or broken service pipe from curb to point of metering or use within such time as may appear reasonable to the Utility after notification has been served on the consumer by the Utility, the water will be shut off and will not be turned on again until the repairs have been completed.

§ 378-19. Charges for water wasted due to leaks.

See Ch. PSC 185, Wis. Adm. Code.

§ 378-20. Inspection of premises.

During reasonable hours any officer or authorized employee of the Utility shall have the right of access to the premises supplied with service, for the purpose of inspection or for the enforcement of the Utility's rules and regulations. Whenever appropriate, the Utility will make a systematic inspection of all unmetered water taps for the purpose of checking waste and unnecessary use of water.

§ 378-21. Customer deposits.

See Ch. PSC 185, Wis. Adm. Code.

§ 378-22. Conditions of deposit.

See Ch. PSC 185, Wis. Adm. Code.

§ 378-23. Guarantee contracts.

See Ch. PSC 185, Wis. Adm. Code.

§ 378-24. Deferred payment agreement.

See Ch. PSC 185, Wis. Adm. Code.

§ 378-25. Disconnection and refusal of service.

- A. General rules. See Ch. PSC 185, Wis. Adm. Code.
- B. Form of notice. The form of disconnection notice shall be provided by the City Clerk.⁷

⁷. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

- C. Collection of overdue bills. An amount owed by the customer may be levied as a tax as provided in § 66.0809, Wis. Stats.

§ 378-26. Surreptitious use of water.

- A. When the Utility has reasonable evidence that a consumer is obtaining his supply of water, in whole or in part, by means of devices or methods used to stop or interfere with the proper metering of the Utility service being delivered to his equipment, the Utility reserves the right to estimate and present immediately a bill for service unmetered as a result of such interference and such bill shall be payable subject to a 24 hours' disconnection of service. When the Utility shall have disconnected the consumer for any such reason, the Utility will reconnect the consumer upon the following conditions:
- (1) The consumer will be required to deposit with the Utility an amount sufficient to guarantee the payment of the consumer's bills for Utility service to the Utility.
 - (2) The consumer will be required to pay the Utility for any and all damages to its equipment on the consumer's premises due to such stoppage or interference with its metering.
 - (3) The consumer must further agree to comply with reasonable requirements to protect the Utility against further losses.
- B. Sections 98.26 and 943.20, Wis. Stats., as relating to water service, are hereby adopted and made a part of these rules.

§ 378-27. Vacation of premises.

When premises are to be vacated, the Utility shall be notified in writing at once, so that it may remove the meter and shut off the supply at the curb cock. The owner of the premises shall be liable to prosecution for any damage to the property of the Water Utility by reason of failure to notify the Utility of vacancy.

§ 378-28. Repairs to mains.

The Utility reserves the right to shut off the water in the mains temporarily, to make repairs, alterations or additions to the plant or system. When the circumstances will permit of sufficient delay, the company will give notification, by newspaper publication or otherwise, of the discontinuance of the supply. No rebate will be allowed to consumers for such temporary suspension of supply.

§ 378-29. Duty of Utility with respect to public safety.

It shall be the duty of the Utility to see that all open ditches for water mains, hydrants, and service pipes are properly guarded to prevent accident to any person or vehicle and at night there shall be displayed amber signal light in such manner as will, so far as possible, insure the safety of the public.

§ 378-30. Handling water mains and service pipes in sewer or other trenches.

Contractors must ascertain for themselves the existence and location of all service pipes. Where they are removed, cut or damaged in the construction of a sewer, the contractor must at his own expense cause them to be replaced or repaired at once. He must not shut off the water service pipes from any consumer for a period exceeding six hours.

§ 378-31. Protective devices.

- A. Protective devices in general. The owner or occupant of every premises receiving water supply shall apply and maintain suitable means of protection of the premises supply, and all appliances thereof, against damage arising in any manner from the use of the water supply, variation of water pressure, or any interruption of water supply. Particularly, such owner or occupant must protect water-cooled compressors for refrigeration systems by means of high pressure safety cutout devices. There shall likewise be provided means for the prevention of the transmission of water ram or noise of operation of any valve or appliance through the piping of their own or adjacent premises.
- B. Relief valves. On all "closed systems" (i.e., systems having a check valve, pressure regulator, or reducing valve, water filter or softener) an effective pressure relief valve shall be installed either in the top tapping or the upper side tapping of the hot water tank, or on the hot water distributing pipe connection at the tank. A one-half-inch drain pipe shall be connected to the relief valve for discharge on the floor or into a sink or open drain through an air gap. No stop valve shall be placed between the hot water tank and the relief valve or on the drain pipe. (See applicable City plumbing codes).
- C. Air chambers. An air chamber or approved shock absorber shall be installed at the terminus of each riser, fixture branch, or hydraulic elevator main for the prevention of undue water hammer. The air chamber shall have a diameter not less than that of the pipe it serves and a length not less than 15 diameters of said supply pipe. Where possible, the air chamber should be provided at its base with a valve and rain cock for water drainage and replenishment of air.

§ 378-32. Cross-connection control. [Amended 9-10-2012 by Ord. No. 366]

- A. 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 City'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.
- B. 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. SPS 382, Wis. Adm. Code.
- C. Inspection. The water utility may inspect, or arrange for an inspection of, property served by the public water system for cross-connections. As an alternative, the water utility may require a person, firm, or corporation who owns, leases, or occupies property to have their plumbing inspected, at their own expense by a State of Wisconsin certified cross-connection inspector/surveyor. 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 Subsection F of this section.

- D. 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 Subsection F of this section. If entry is refused, a special inspection warrant under § 66.0119, Wis. Stats. may be obtained.
- E. 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 Subsection F of this section.
- F. Discontinuation of water for violation. The water utility may discontinue water service to any property wherein any unprotected connection in violation of this section 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 Ch. 68, Wis. Stats., except as provided in Subsection G of this section. Water service to such property shall not be restored until the unprotected cross-connection has been eliminated.
- G. 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 City Clerk and delivered to the customer's premises, water service may be immediately discontinued. The customer shall have an opportunity for hearing under Ch. 68, Wis. Stats., within 10 days of such emergency discontinuance. Water service to such property shall not be restored until the unprotected cross-connection has been eliminated.

§ 378-33. Private well abandonment. [Amended 10-18-2006 by Ord. No. 335; 9-10-2012 by Ord. No. 366]

- A. Purpose. The purpose of this section is to protect public health, safety and welfare and to prevent contamination of water supplies by assuring that unused, unsafe or noncomplying wells or wells which may act as conduits for contamination of groundwater or wells which may be illegally cross-connected to the municipal water system are properly maintained or properly filled and sealed.
- B. Applicability. This section applies to all wells located on premises served by the City of Bayfield's municipal water system. Communities outside the jurisdiction of a supplying municipal system are also required by code, contract agreement, or utility rule to adopt and enforce equivalent ordinances within their jurisdictions for the purpose stated in Subsection A above.

C. Definitions. As used in this section, the following terms shall have the meanings indicated:

COMMUNITIES SERVED — Any jurisdiction having customers supplied by a municipal water system as retail or wholesale customers, including those outside the jurisdiction of the supplying system.

MUNICIPAL WATER SYSTEM — A community water system owned by a city, village, county, town, town sanitary district, utility district, public inland lake and rehabilitation district, municipal water district or a federal, state, county, or municipal owned institution for congregate care or correction, or a privately owned water utility serving the foregoing.

NONCOMPLYING — A well or pump installation which does not comply with § NR 812.42, Wis. Adm. Code, Standards for Existing Installations, and which has not been granted a variance pursuant to § NR 812.43, Wis. Adm. Code.

PUMP INSTALLATION — The pump and related equipment used for withdrawing water from a well, including the discharge piping, the underground connections, pitless adapters, pressure tanks, pits, sampling faucets and well seals or caps.

SERVED BY — Any property having a water supply pipe extending onto it which is connected to the municipal water system.

UNSAFE WELL OR PUMP INSTALLATION — One which produces water which is bacteriologically contaminated or contaminated with other substances exceeding the drinking water standards of Chs. NR 140 or 809, Wis. Adm. Code, or for which a health advisory has been issued by the Department of Natural Resources.

UNUSED WELL — One which does not have a functional pumping system or other complying means of withdrawing water.

WELL — A drillhole or other excavation or opening deeper than it is wide that extends more than 10 feet below the ground surface constructed for the purpose of obtaining groundwater.

WELL ABANDONMENT — The proper filling-and-sealing or decommissioning of a well according to the provisions of § NR 812.26, Wis. Adm. Code.

D. Well abandonment required. All wells on premises served by the municipal water system shall be properly filled and sealed in accordance with Subsection F of this section by December 1, 1991, or not later than one year from the date of connection to the municipal water system, or discovery or construction of a well, unless a valid well operation permit has been issued to the well owner by the City under terms of Subsection E of this section.

E. Well operation permit.

- (1) Owners of wells on premises served by the municipal water system shall make application for a well operation permit for each well no later than 90 days after connection to the municipal water system or date of discovery or construction of a well. The City shall grant a permit to a well owner to operate a well for a period not to exceed five years providing all conditions of this section are met. A well operation permit may be renewed by submitting an application verifying that the conditions of this section are met. The City or its agent may conduct inspections and water quality tests or require inspections and water quality tests to be conducted at the applicant's

expense to obtain or verify information necessary for consideration of a permit application or renewal. Permit applications and renewals shall be made on forms provided by the Clerk. All initial and renewal applications must be accompanied by a fee of \$25.

- (2) The following conditions must be met for issuance or renewal of a well operation permit:
 - (a) The well and pump installation shall comply with the Standards for Existing Installations described in § NR 812.42, Wis. Adm. Code, or repaired to comply with current standards. Compliance shall be verified by inspection for initial issuance of a permit and every 10 years thereafter. Inspections shall be conducted by a Wisconsin licensed well driller or pump installer and documented on inspection report form DNR No. 3300-221, to be submitted to the Clerk.
 - (b) The well and pump shall have a history of producing safe water evidenced by a certified lab report for at least one coliform bacteria sample collected within prior 30 days and submitted to the Clerk. In areas where the Department of Natural Resources (DNR) has determined that groundwater aquifers are contaminated with substances other than bacteria, additional chemical tests may be required to document the safety of the water.
 - (c) There shall be no cross-connections or interconnection between the well's pump installation or distribution piping and the municipal water system unless approved by the utility and DNR.
 - (d) The water from the private well shall not discharge into a drain leading directly to a public sewer utility unless properly metered and authorized by the sewer utility.
 - (e) The private well shall have a functional pumping system or other complying means of withdrawing water.
 - (f) The proposed use of the private well shall be justified as reasonable in addition to water provided by the municipal water system.

F. Well filling and sealing procedures.

- (1) All wells abandoned under the jurisdiction of this section shall be filled and sealed according to the procedures of § NR 812.26, Wis. Adm. Code.
- (2) All well filling and sealing under jurisdiction of this section shall be performed by, or under the supervision of a certified water system operator employed by the City of Bayfield or by a Wisconsin-licensed well driller or pump installer, per § 280.30, Wis. Stats.
- (3) The owner of the well, or the owner's agent, shall notify the clerk at least 48 hours in advance of any well abandonment activities. The abandonment of the well may be observed or verified by personnel of the municipal system.
- (4) A well filling and sealing report form DNR No. 3300-005, supplied by the

Department of Natural Resources, shall be submitted by the well owner to the Clerk and to the Department of Natural Resources within 30 days of the completion of the well abandonment.

- G. Penalties. Any well owner violating any provision of this section shall upon conviction be punished by forfeiture as prescribed in Chapter 1, General Provisions, Article I, § 1-3, Violations and penalties, of the Code of the City of Bayfield and the cost of prosecution. Each day of violation is a separate offense. If any person fails to comply with this section for more than 30 days after receiving written notice of the violation, the municipality may impose a penalty and cause the well abandonment to be performed and the expense to be assessed as a special tax against the property.

§ 378-34. Water main extensions.

Water mains will be extended for new customers on the following basis:

- A. Where the cost of the extension is to immediately be collected through assessment by the municipality against the abutting property, the procedure set forth under § 66.0703, Wis. Stats., will apply, and no additional customer contribution to the Utility will be required.
- B. Where the City is unwilling or unable to make a special assessment, the extension will be made on a customer financed basis as follows:
- (1) The applicant(s) will advance as a contribution in aid of construction the total amount equivalent to that which would have been assessed for all property under Subsection A.
 - (2) Part of the contribution required in Subsection B(1) will be refundable. When additional customers are connected to the extended main within 20 years of the date of completion, contributions in aid of construction will be collected equal to the amount which would have been assessed under Subsection A for the abutting property being served. This amount will be refunded to the original contributor(s). In no case will the contributions received from additional customers exceed the proportionate amount which would have been required under Subsection A nor will it exceed the total assessable cost of the original extension.
- C. When a new customer(s) is connected to an existing main not financed by customer contributions, it shall not be considered as a main extension and no contribution may be collected from the customer(s). This provision applies to the mains installed after the effective date of this rule.

§ 378-35. Water main installations in platted subdivisions.

- A. Application for installation of water mains in regularly platted real estate development subdivisions shall be filed with the City Clerk and shall set forth the following information:
- (1) Name of subdivision.
 - (2) Legal description.
 - (3) Map showing streets, lots and sizes of proposed mains and hydrants, and street

laterals.

- (4) Date of approval of subdivision plan by State Department of Administration.
 - (5) Date of approval of proposed mains by State Department of Natural Resources.
 - (6) Number of houses presently under construction.
- B. Upon receipt of the application, the Water Utility will prepare detailed estimates of the cost of extending water mains and hydrants of the size deemed necessary in the subdivision and submit same to the Common Council for approval of the extension as it pertains to public fire-protection service requirements.
- C. The applicant for water service to be supplied to a subdivision shall be required to advance to the Utility, prior to the beginning of construction, the total estimated cost of the extension. If the final costs exceed estimated costs, an additional billing will be made for the balance of the cost due. This balance is to be paid within 30 days. If final costs are less than estimated, a refund of overpayment will be made by the Water Utility.
- D. If the developer, or a contractor employed by the developer, is to install the water mains (with the approval of the Utility) the developer shall be responsible for the total cost of construction.