

ORDINANCE NO. 10-005

AN ORDINANCE TO REPEAL AND RECREATE SECTION 13.47  
OF THE CODE OF ORDINANCES OF THE TOWN OF SOMERS  
RELATING TO CROSS CONNECTIONS

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The Town Board of Supervisors of the Town of Somers, Kenosha County,  
Wisconsin, hereby repeals and recreates Section 13.47 of the Code of Ordinances of the Town of  
Somers relating to cross connections to read as follows:

**13.47 CROSS CONNECTIONS.**

(A) **Prohibition.** That no person, firm or corporation shall establish or permit to be established or maintain or permit to be maintained any cross connection. No interconnection shall be established whereby potable water from a private, auxiliary or emergency water supply other than the regular public water supply of the Town of Somers Water Utility may enter the supply or distribution system of said municipality, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the Town of Somers Water Utility and by the Wisconsin Department of Natural Resources in accordance with Section NR 811.09(2) of the Wisconsin Administrative Code.

(B) **Inspections.** That it shall be the duty of the Town Administrator or Utility to cause inspections to be made of all properties served by the public water system where cross connections with the public water system is deemed possible. The frequency of inspections and reinspections based on potential health hazards involved shall be as established by the Water Utility, but in no event shall be less frequently than once every ten (10) years. The Utility shall charge fees as approved by the State of Wisconsin Public Service Commission for on-premised follow-up visits by Utility personnel for reinspection due to customer non-compliance and for and after-hours inspections or reinspections. Customers of the Utility shall be given up to thirty (30) days to contact Utility staff and arrange for the necessary reinspection to confirm compliance of a noted violation.

(C) **Access.** That upon presentation of credentials, the representative of the Somers Public Works shall have the right to request entry at any reasonable time to examine any property served by a connection to the public water system of the Water Utility for cross connections. If entry is refused, such representative may obtain a special inspection warrant under §66.122, Wisconsin Statutes. In addition, the Utility shall charge the property owner a fee of Thirty (\$30.00) Dollars per day for refusal to allow entry to examine any property. On request the owner, lessee or occupant of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property.

(D) **Disconnection.** That the Town of Somers Water Utility is hereby authorized and directed to discontinue water service to any property wherein any connection in violation of this ordinance

exists, and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water system. Water service shall be discontinued if the means of backflow prevention required by the Utility is not installed, tested, maintained and repaired in compliance with this ordinance and Wisconsin Administrative Code NR 81 or if it is found that the means of backflow prevention required by this ordinance has been removed or bypassed. Water service shall only be discontinued only after reasonable notice and opportunity for hearing under Chapter 68, Wisconsin Statutes, except as provided in Section (E). Water service to such property shall not be restored until the cross connection(s) has been eliminated in compliance with the provisions of this ordinance.

(E) **Emergency Disconnections.** That if it is determined by an employee of the Water Utility that a cross connection or an emergency endangers public health, safety or welfare and requires immediate action, and a written finding to that effect is made by the Water Commission and is filed with the Clerk of the Town and delivered to the customer's premises, service may be immediately discontinued. The customer shall have an opportunity for hearing under Chapter 68, Wisconsin Statutes, within ten (10) days of such emergency discontinuance.

(F) **Adoption of State Law.** That the Water Utility adopts by reference the State Plumbing Code of Wisconsin being as contained in the Wisconsin Administrative Code.

Dated at Somers, Wisconsin, this 9 day of March, 2010.

TOWN OF SOMERS

By: James M. Smith  
James Smith, Chairperson

Attest: Tim Kitzman  
Tim Kitzman, Clerk/Treasurer

