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DIVISION 1. GENERALLY

Sec. 26-906. State regulations adopted.

Sec. 26-907. Definitions.

Sec. 26-908. Penalties for violation of article.

Sec. 26-909. Malicious damage.

Sec. 26-910. Places of employment and public buildings; regulations binding on employer and owner.

Secs. 26-911—26-930. Reserved.

Sec. 26-906. State regulations adopted.

Except as otherwise specifically provided in this Code, the statutory provisions of W.S.A., ch. 145 and Chapters SPS 381—387 of the Wis. Admin. Code, describing and defining regulations with respect to licensures, construction, installation and inspection of plumbing, exclusive of any provisions therein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment, are hereby adopted and made a part of this section as if fully set out. Any future amendments, revisions or modifications of the statutes or administrative codes incorporated in this section are intended to be made part of this section in order to secure uniform statewide regulation of plumbing regulations.

(Ord. No. 92-96-97, § 1, 12-16-96; Ord. No. 64-11-12, § 9, 2-6-12)

Sec. 26-907. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Plumbing means and includes:

- (1) All piping, fixtures, appliances, equipment, devices and appurtenances in connection with the water supply, water distribution and drainage systems, including hot water storage tanks, water softeners and water heaters connected with such water and drainage systems and also includes the installation thereof.
- (2) The construction, connection or installation of any drain or waste piping system from the outside or proposed outside foundation walls of any building to the mains or other sewage system terminal within bounds of, or beneath an area subject to easement for highway purposes, including private sewage systems, and the alteration of any such systems, drains or waste piping.
- (3) The water service piping from the outside or proposed outside foundation walls of any building to the main or other water utility service terminal within bounds of or beneath an area subject to easement for highway purposes and its connections.
- (4) The water pressure system other than municipal systems as provided in W.S.A., ch. 144.

- (5) A plumbing and drainage system so designed and vent piping so installed as to keep the air within the system in free circulation and movement; to prevent with a margin of safety unequal air pressures of such force as might blow, siphon or affect trap seals, or retard the discharge from plumbing fixtures, or permit sewer air to escape into the building; to prohibit cross connection, contamination or pollution of the potable water supply and distribution systems; and to provide an adequate supply of water to properly serve, cleanse and operate all fixtures, equipment, appurtenances and appliances served by the plumbing system.

Storm and clear drains means a drain, sewer or pipe for conveying water, stormwater, groundwater, subsurface water or clear water wastes from any source and shall include sump pumps as defined by Chapter SPS 382, Wis. Admin. Code.

(Ord. No. 92-96-97, § 1, 12-16-96; Ord. No. 64-11-12, § 10, 2-6-12)

Cross reference— Definitions generally. § 1-2.

Sec. 26-908. Penalties for violation of article.

Any violation of the provisions of this article shall subject the violator to a forfeiture of not less than \$150.00 nor more than \$750.00, together with the costs of prosecution, and, in default of payment thereof, to imprisonment in the county jail until the forfeiture and costs are paid, but not to exceed 90 days. Each day of violation or noncompliance shall constitute a separate offense.

(Ord. No. 92-96-97, § 1, 12-16-96; Ord. No. 59-97-98, § 1, 10-20-97; Ord. No. 42-10-11, § 6, 11-15-10; Ord. No. 69-11-12, § 4, 2-20-12)

Sec. 26-909. Malicious damage.

No person shall intentionally, willfully or maliciously injure or obstruct any sewer, house drain, cesspool, catch basin or any plumbing fixture or apparatus, pipes or other parts of any plumbing system in public buildings, or any sewer or water pipe or any parts connected therewith, laid or constructed in streets, alleys, under sidewalks or other public places in the city. The cost of repairing or replacing such equipment and any other damages incurred shall be assessable against the persons guilty of a violation of this section.

(Ord. No. 92-96-97, § 1, 12-16-96)

Sec. 26-910. Places of employment and public buildings; regulations binding on employer and owner.

Every employer and every owner of a place of employment or of a public building shall so construct, repair or maintain such place of employment or public building, and every architect, engineer or other person who designs a building or its sanitary equipment shall so prepare the plans and specifications and repair and maintain such places of employment or public buildings so as to render them safe and sanitary in accordance with the rules and regulations of this article and all applicable state plumbing codes.

(Ord. No. 92-96-97, § 1, 12-16-96)

Secs. 26-911—26-930. Reserved.

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DIVISION 2. ADMINISTRATION AND ENFORCEMENT

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Sec. 26-932. Cooperation of officials.

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Sec. 26-938. Same—Appeals; how made.

Sec. 26-939. Reserved.

Secs. 26-940—26-960. Reserved.

Sec. 26-931. Supervision of plumbing.

The plumbing inspector shall have supervision of all plumbing and drainage work and installations made and performed within the city.

(Ord. No. 92-96-97, § 1, 12-16-96)

Sec. 26-932. Cooperation of officials.

The city engineer, superintendent of the municipal water utility, building inspector, city attorney, plumbing inspector and the zoning board of appeals shall cooperate to the end that the provisions of this article are properly, fairly and consistently enforced in the best interests of the citizens of the city.

(Ord. No. 92-96-97, § 1, 12-16-96)

Sec. 26-933. Access to premises.

The plumbing inspector, upon written notice stating the reason therefor, shall, within 24 hours after service of such notice, have free and unobstructive access between the hours of 7:00 a.m. and 6:00 p.m. to any part of a private home or premises where a sump pump, building sewer or drain, plumbing or plumbing appliances have been installed or are being installed. The inspector shall have free access at all times, without such notification, to any building under construction or any public building for the purpose of examining plumbing, water supply piping, appliances and the construction, condition and usage of any sump pump, sewer, drain or water disposal connected therewith.

(Ord. No. 92-96-97, § 1, 12-16-96)

Sec. 26-934. Inspections generally.

The plumbing inspector shall inspect all plumbing work performed and installations made from street main, curb or other terminals, and within and in connection with all buildings or structures, and shall require such plumbing work to be in conformity with the provisions of this article and the applicable state plumbing regulations.

(Ord. No. 92-96-97, § 1, 12-16-96)

Sec. 26-935. Notice for sewer inspection.

The plumbing inspector shall be notified whenever any building sewer work from main or curb to building is ready for inspection, and all work, except when otherwise permitted by the inspector, shall be left uncovered until examined and approved. All such notices shall specify the correct location of the premises.

(Ord. No. 92-96-97, § 1, 12-16-96)

Sec. 26-936. Final plumbing inspection.

Notice for final inspection of the plumbing installation after the fixtures, appurtenances and appliances have been tested and completed, and after the installation is considered ready for use, shall be given to the plumbing inspector by the person to whom a permit was issued, within 24 hours of such completion. The master plumber in charge or his representative shall be present at the time of the final inspection. When practical, the final inspection shall be made with the water supply serving such plumbing system turned on for test purposes. The plumbing inspector, when so requested, shall furnish the owner or the plumber with an inspection certificate, indicating whether the installation has been approved or disapproved. In the event of disapproval, the reason therefor shall be given in writing.

(Ord. No. 92-96-97, § 1, 12-16-96)

Sec. 26-937. Board of plumbing appeals—Generally.

In case of a dispute or difference arising between the plumbing inspector and the plumber in charge of the work performed, subject to the provisions of this article, the facts shall be submitted to the board of plumbing appeals whose members shall be the manager of planning and inspection services, the director of the department of public works, and the city engineer. The board shall consider and adjudicate all such disputes submitted to it, and may require testimony from the parties concerned and such persons as it deems necessary.

(Ord. No. 92-96-97, § 1, 12-16-96)

Sec. 26-938. Same—Appeals; how made.

Any person feeling himself aggrieved by any order or ruling of the plumbing inspector may appeal from such order or ruling to the board of plumbing appeals within five days after written notice of such order or ruling shall have been delivered to him. The appeal shall be in writing, setting forth the order appealed from, and shall be filed with the plumbing inspector who shall bring it to the attention of the board of plumbing appeals. Where a situation requires an immediate decision, the decision of the inspector shall be final and conclusive.

(Ord. No. 92-96-97, § 1, 12-16-96)

Sec. 26-939. Reserved.

Editor's note—

Ord. No. 64-11-12, § 11, adopted February 6, 2012, repealed § 26-939, which pertained to submission of plans and specifications and derived from Ord. No. 92-96-97, § 1, 12-16-96.

Secs. 26-940—26-960. Reserved.

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DIVISION 3. PERMITS AND FEES

Sec. 26-961. Permits required.

Sec. 26-962. Application for permit.

Sec. 26-963. Reserved.

Sec. 26-964. Withholding permits.

Sec. 26-965. Expiration of permit.

Sec. 26-966. Permit fees.

Secs. 26-967—26-990. Reserved.

Sec. 26-961. Permits required.

No plumbing shall be performed in the city except in cases of repair of leaks and stoppages, unless a permit shall first have been issued by the plumbing inspector and proper fee paid therefor. Permits shall be issued only to persons licensed to do plumbing under the state laws; provided, however, that any person owning and occupying a single-family dwelling may do plumbing therein without having a license as a plumber.

(Ord. No. 92-96-97, § 1, 12-16-96)

Sec. 26-962. Application for permit.

Application for a plumbing permit on forms provided by the building inspection [department] shall be filed with the plumbing inspector before beginning active work.

(Ord. No. 92-96-97, § 1, 12-16-96)

Sec. 26-963. Reserved.

Sec. 26-964. Withholding permits.

- (a) *Arrearages.* No further permits shall be issued and/or inspections made to any licensee until all arrears and fees have been paid, and/or all lawful orders of the plumbing inspector have been complied with.
- (b) *Delay and bad faith.* Bad faith or unreasonable delay in the performance of plumbing work or failure to respond promptly to official communications shall be deemed sufficient reason for withholding plumbing permits from an applicant. A master plumber shall also be held responsible for the violation by any of his employees of plumbing regulations prescribed in this article.

(Ord. No. 92-96-97, § 1, 12-16-96)

Sec. 26-965. Expiration of permit.

All permits shall be in force for a continuous performance of the work specified thereon. Permits shall automatically expire, however, when work ceases for a period of 60 days.

(Ord. No. 92-96-97, § 1, 12-16-96)

Sec. 26-966. Permit fees.

- (a) Applications for a permit for the privilege of making an initial connection to a public sanitary or storm main should be accompanied by a fee of:
- (1) Five hundred dollars for a residential connection fee.
 - (2) One thousand dollars for a commercial connection fee.
 - (3) Fifteen hundred dollars for an industrial connection fee.
 - (4) Five hundred dollars for a mini-storm connection fee.
- (b) Application for a permit for the following plumbing work shall be accompanied by a fee computed as set forth below, but in no event less than \$40.00.
- (1) Eight dollars for each fixture installed, roughed in, or opening provided for future installation of fixture or water connected appurtenance or appliance.
 - (2) Eight dollars for each water heater.
 - (3) Forty dollars for sanitary or storm sewer connection at main, curb, or lot line.
 - (4) Forty dollars (\$40.00) for sanitary or storm sewer relayed from main, curb, or lot line.
 - (5) Forty dollars for building drain or relayed building drain.
 - (6) Forty dollars for installing new water service from main, curb, or lot line.
 - (7) Forty dollars for water service relayed from main, curb, or lot line.
 - (8) Eight dollars for each connection to building drain used to convey waste water or other materials aside from plumbing fixtures.
 - (9) Eight dollars for each conductor or drain connected to the storm sewer.
 - (10) Fee for existing structures to be connected to the city sewerage system shall include \$8.00 for each plumbing fixture or drain installed prior to such connection.
 - (11) Forty dollars for the disconnection of an abandoned sewer or water service.
 - (12) Forty dollars for repairs to water, sanitary and storm sewer lateral.
 - (13) Forty dollars per 100 feet or fraction for private sanitary or storm sewer main.
 - (14) Forty dollars per manhole in private sanitary or storm sewer main.
 - (17) Forty dollars inspection fee for private sewer lateral.
 - (18) Forty dollars per 100 feet or fraction for private water main.
 - (19) Forty dollars inspection fee for private water lateral.
- (c) For work started without a plumbing permit, except in emergency cases, the total fee shall be double the regular fee plus \$100.00 for the first incident per calendar year. For a second incident, double the standard fee plus \$250.00. For a third or subsequent incident, double the standard fee plus \$500.00.
- (d) The fees for permits provided in this section shall not be refundable even though the permit issued is not used, unless such fees exceed the sum of \$21.00, in which case only that portion of the fees in excess of \$21.00 shall be refunded.

(Ord. No. 92-96-97, § 1, 12-16-96; Ord. No. 41-01-02, § 8, 10-15-01; Ord. No. 76-02-03, §§ 8, 9, 4-2-03; Ord. No. 57-05-06, § 1, 11-21-05; Ord. No. 42-06-07, § 1, 10-16-06; Ord. No. 41-09-10, § 1, 1-18-10)

Secs. 26-967—26-990. Reserved.

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DIVISION 4. SEWER AND WATER SERVICES

Sec. 26-991. Supervision.

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Sec. 26-993. Same—Issuance of permits.

Sec. 26-994. Same—Availability of permits.

Sec. 26-995. Time for connections.

Sec. 26-996. Extension through lot line.

Sec. 26-997. Connection to city sewer system beyond city limits.

Sec. 26-998. Abandonment of building sewer.

Sec. 26-999. Location of drains, sewers and junctions—Recorded by city engineer.

Sec. 26-1000. Same—Depth and locations.

Sec. 26-1001. Openings in streets.

Sec. 26-1002. Surface water drains and connections.

Sec. 26-1003. Water services and private water mains.

Sec. 26-1004. Private well abandonment.

Sec. 26-1005. Connection to public waterworks required.

Sec. 26-1006. Cross-connection control.

Sec. 26-1007. Defective lead services.

Sec. 26-1008. Certification of compliance with Clearwater requirements.

Sec. 26-1009. Backflow preventers.

Sec. 26-1010. Rain water drains.

Sec. 26-1011. Sump pumps.

Secs. 26-1012—26-1025. Reserved.

Sec. 26-991. Supervision.

All sewer mains and all water mains shall be under control of the department of engineering and public works and the board of water commissioners, and no service pipe shall be laid and no opening into or connection with a sewer service lateral, public sewer or water main shall be made, relayed, replaced or repaired, except under the direction and supervision of the plumbing inspector.

(Ord. No. 92-96-97, § 1, 12-16-96)

Sec. 26-992. Connections with public sewer and water systems—Permit required.

No person shall open any street, alley or other public place for the purpose of laying or repairing any water service or drain pipe, or make or repair any attachment or connection with any water or sewer service or drain or do any kind of work connecting any private sewer or drain to the main or street sewer or other disposal terminal, or in connecting any water pipe or system to the water main, or do any other kind of work in connection with any public or private sewer inside or

outside of any building except emergency repairs, without first having obtained a written permit therefor from the department of engineering and public works or its authorized agent.

(Ord. No. 92-96-97, § 1, 12-16-96)

Sec. 26-993. Same—Issuance of permits.

Permits required by this division shall be issued only upon written application made by a licensed master plumber, utility contractor, master plumber restricted sewer, authorized by the owner or agent of the premises desiring to make such excavations, connections, extension or alteration, stating the name of the owner and that the owner and such licensed contractor will be bound by and be subject to all rules and regulations as prescribed in this article, giving the exact location of the premises, stating the purpose for which the connection, extension or alteration is to be used, the time when the work is to be done and all other particulars in respect thereto.

(Ord. No. 92-96-97, § 1, 12-16-96)

Sec. 26-994. Same—Availability of permits.

No work of laying or relaying building sewers, storm drains or water services shall be commenced or continued without the required permit to connect with the public water or sewer system being on the premises and in the possession of the plumber or his employee.

(Ord. No. 92-96-97, § 1, 12-16-96)

Sec. 26-995. Time for connections.

If the plumber is unable to make the connection at the time specified, then notice shall be left at the office of the plumbing inspector requesting another time for inspection of the connection.

(Ord. No. 92-96-97, § 1, 12-16-96)

Sec. 26-996. Extension through lot line.

- (a) When sewer (sanitary, storm and mini-storm) laterals and water laterals are laid, they shall be laid to run from their mains to two feet inside the lot line.
- (b) The installation and maintenance of all sewer (sanitary, storm and mini-storm) and water laterals from the city mains shall be the responsibility of the owner of the property which they serve.

(Ord. No. 92-96-97, § 1, 12-16-96)

Sec. 26-997. Connection to city sewer system beyond city limits.

- (a) No person shall connect or join or cause to be connected or joined to the sanitary or storm water sewerage system of the city, either directly or indirectly, any sanitary or stormwater sewer from outside of the limits of the city, except a duly organized sewage district, in which case all connections in such districts with the city sewerage system and its extensions, and all plumbing connected with the system, to any building, lot or premises outside of the city limits shall be in conformity and in full compliance with the plumbing regulations which the common council may enact as part consideration for the granting of permits for extension of and connection with the city sewerage system.
- (b)

No sanitary sewer serving any property in the city, or any lot or area served by virtue of its being perpendicularly adjacent to city sanitary sewer service shall be extended from or through the lot so served to another lot or area beyond the corporate limits of the city. The plumbing inspector shall not issue a permit for plumbing work that would result in violation of the provisions of this section.

(Ord. No. 92-96-97, § 1, 12-16-96)

Sec. 26-998. Abandonment of building sewer.

- (a) Any person demolishing or moving a building or structure that is served by a sewer shall engage a licensed master plumber under permit to properly abandon the building sewer immediately inside the front lot line on private property.
- (b) The building sewer shall be disconnected at the front lot line and the pipe capped with materials approved by Chapter SPS 384 of the Win. Admin. Code.
- (c) Abandoned lead water service laterals shall be disconnected and capped at the main and the pipe capped with materials approved by Chapter SPS 384 of the Win. Admin. Code.
- (d) Sewer and water services permanently abandoned shall be disconnected at the main according to subsection (b).

(Ord. No. 92-96-97, § 1, 12-16-96; Ord. No. 64-11-12, § 12, 2-6-12)

Sec. 26-999. Location of drains, sewers and junctions—Recorded by city engineer.

The city engineer shall keep proper records of the location of the premises on which a sewer connection is made, the name of the owner, the name of the plumber making the connection and the exact location of the connection with the public sewer of each drain or sewer so laid and connected.

(Ord. No. 92-96-97, § 1, 12-16-96)

Sec. 26-1000. Same—Depth and locations.

The city engineer shall furnish, upon request by any interested person, information concerning the size, location and depth of public and private sewers or drains and the position of the branch, junctions and appurtenances. All reasonable care shall be taken to ensure the correctness of such information, but such correctness will not be guaranteed in any way by the city. When, in accordance with the measurements furnished, a junction is not located, an approved saddle shall be used and such connection shall be made under the direction of the city engineer or plumbing inspector.

(Ord. No. 92-96-97, § 1, 12-16-96)

Sec. 26-1001. Openings in streets.

- (a) *Permits required.* No person shall uncover or excavate under or around any sewer for any purpose without having obtained a written permit therefor as required in section 26-961. The person performing such work for which a permit was not obtained, and his employer under whose direction the work was done, shall be deemed guilty of a violation of this section.
- (b) *Backfilling.* Backfilling of trenches shall be made with due care and in a workmanlike manner according to approved standards and methods so as to prevent the breaking of the pipes or

joints or the settling of drain sewer. The backfilling shall be done in accordance with the standards and methods for excavation and backfilling on file with the departments of engineering and public works and as amended from time to time. Copies of such standards and methods shall be made available by the departments of engineering and public works to any contractor engaged in such work.

(Ord. No. 92-96-97, § 1, 12-16-96)

Sec. 26-1002. Surface water drains and connections.

- (a) No person shall connect any rainwater leaders or area drains, or make any similar connections with any public sanitary sewer which empties into the city sanitary sewerage system nor drain any lot or area into any manhole connecting with any such sanitary sewerage system and any such connections presently existing shall be forthwith removed by the owner of the premises involved.
- (b) No person shall open any storm sewer or connect any rainwater leader or area drain therewith without permission from the plumbing inspector and the departments of engineering and public works, and subject to such conditions as they shall impose.
- (c) All storm and clear water drains in and for any new building construction located adjacent to an existing storm sewer shall be connected to such storm sewer prior to occupancy.
- (d) Owners of existing buildings shall connect all storm and clear water drains to mini-storm sewers (auxiliary sewers installed primarily for storm and clear water drains and sump pump connections which are constructed subsequent to the paving of the adjacent street) or storm sewers which serve their property within 90 days of notice of serviceability of such storm sewer or mini-storm sewer, with the exception that extensions of up to two years at a time may be granted upon application by the property owner to the committee on public works of the common council supported by a sworn statement that no clear water problem exists and indemnifying the city against any injury, loss or damage stemming from the introduction of clear water into the city's sanitary sewer system.
- (e) All new commercial and industrial buildings and additions and/or remodeling to existing commercial and industrial buildings shall have rain gutters and downspouts, or other such system as approved by the city engineer, for directing rainwater from the respective roofs to city storm sewer, or to designed retention ponds or other systems approved by the city engineer, in such a manner that water runoff directed to or discharged upon adjacent private properties is neither increased in intensity or rate of flow, unless an easement or other written consent is obtained from the owners of all surrounding properties upon which such increased water runoff is, or is to be, discharged.

(Ord. No. 92-96-97, § 1, 12-16-96)

Sec. 26-1003. Water services and private water mains.

Water service laterals and private water mains from the public water main in the street to the curb stop shall be ductile iron or of soft copper, with no sweat joints underground. When it appears that a lead or galvanized water service has failed, it shall be replaced with ductile iron or soft copper from the main in the street to the curb stop; provided, however, that water services damaged by the water utility during disconnection for nonpayment of a water bill may be repaired rather than replaced.

(Ord. No. 92-96-97, § 1, 12-16-96)

Sec. 26-1004. Private well abandonment.

- (a) *Filling and sealing required.* All private wells located on any premises which is served by the public water system of the city shall be properly filled at time of connection to the city's water supply system. Only those wells for which a well operation permit has been granted by the common council may be exempted from this requirement. Wells to be abandoned shall be filled in accordance with the procedures outlined in chapter NR 112 of the Win. Admin. Code.
- (b) *Well operation permit.* A permit may be granted to a well owner to operate a well for a period not to exceed 15 years if the following requirements are met. Application shall be made on forms provided by the plumbing inspector.
- (1) The well and pump installation meet the requirements of chapter NR 112 of the Win. Admin. Code, and a letter from a licensed well and pump installer accompanies the application and provides that the well meets the requirements of chapter NR 112 of the Win. Admin. Code.
 - (2) The well has a history of producing safe water and presently produces bacteriologically safe water as evidenced from laboratory tests by a laboratory certified by the State of Wisconsin.
 - (3) The proposed use of the well can be justified as being necessary in addition to water provided by the public water system.
 - (4) No physical connection shall exist between the piping of the public water system and the private well.
- (c) *Reports and inspection.* A well abandonment report must be submitted by the well owner to the Wisconsin Department of Natural Resources on forms provided by that agency. The report shall be submitted immediately upon completion of the filling of the well.

(Ord. No. 92-96-97, § 1, 12-16-96)

Sec. 26-1005. Connection to public waterworks required.

Upon annexation, or when expressly authorized by the common council, the public water supply system shall be made available to newly annexed areas or specifically designated premises. Thereafter, connection to the city's water supply system shall be made within 90 days. Every building intended for human occupancy located within the city shall utilize potable water from the public waterworks.

(Ord. No. 92-96-97, § 1, 12-16-96)

Sec. 26-1006. Cross-connection control.

- (a) A cross-connection shall be defined as any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the city water system, and the other 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, the direction of flow depending on the pressure differential between the two systems.
- (b) No person 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 city may enter the supply or distribution system of the 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 plumbing inspector and by the Wisconsin Department of Natural Resources in accordance with section NR 111.25(3) of the Wis. Admin. Code.

- (c) It shall be the duty of the plumbing inspector 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.
- (d) Upon presentation of credentials, the representative of the city 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 city for cross-connections. If entry is refused, such representative shall obtain a special inspection warrant under W.S.A. § 66.122. 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.
- (e) The Sheboygan Water Utility is hereby authorized and directed to discontinue water service to any property wherein any connection in violation of this section 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 only after reasonable notice and opportunity for hearing under W.S.A. chapter 68, except as provided in subsection (f). Water service to such property shall not be restored until the cross-connection(s) has been eliminated in compliance with the provisions of this section.
- (f) If it is determined by the Sheboygan 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 filed with the city clerk and delivered to the customer's premises, service may be immediately discontinued. The customer shall have an opportunity for hearing under W.S.A. chapter 68, within ten days of such emergency discontinuance.
- (g) This section does not supersede the state plumbing code, but, is supplementary to it.

(Ord. No. 92-96-97, § 1, 12-16-96)

Sec. 26-1007. Defective lead services.

Whenever it appears, upon inspection, that a lead water service lateral has failed from the building control valve to the stop box, the lead lateral shall be replaced by a lateral of materials as set forth in chapter Chapter SPS 384 of the Wis. Admin. Code.

(Ord. No. 92-96-97, § 1, 12-16-96; Ord. No. 64-11-12, § 13, 2-6-12)

Sec. 26-1008. Certification of compliance with Clearwater requirements.

- (a) No person shall sell, transfer or convey ownership of a building serviced by a sanitary sewer until such time as a certificate of compliance has been obtained from the building inspection department as provided in this section. Changing ownership or accepting change of ownership without such certificate of compliance shall constitute a violation of this Code and shall be subject to the penalties set forth in section 26-908
- (b) Upon written request to the building inspection department an inspection shall be conducted of the premises to ensure compliance with the provisions of section 26-1002 of the Code relating to illegal surface or ground water connections into the sanitary sewer system. Such inspection shall occur on or before the sale, transfer or conveyance of title of any such building but may occur thereafter if not requested earlier by the owner.
- (c) A certificate of compliance shall be issued by the building inspection department if the building is found to be in compliance with the provisions of the Code relating to surface and

ground water connections. No certificate shall be issued until all applicable clearwater inspection fees have been paid.

- (d) A notice of noncompliance shall be issued by the building inspection department to the owner of record of any building found not to be in compliance with the provisions of section 26-1002. The notice shall set forth the areas of noncompliance and shall order the owner to bring the building into compliance.
- (1) Orders applicable to buildings where a sump pump installation is illegal shall have a 60-day compliance period.
- (2) Orders applicable to buildings where clear water is illegally entering the sanitary sewer system via an under-the-basement floor connection shall have a 120-day compliance period.
- (e) In the event a request for a certificate of compliance is made within one year of the issuance of a previous certificate of compliance where an inspection was conducted, and the owner certifies that no changes have occurred to the premises since the previous certificate was issued which render the premises out of compliance with the city's clearwater requirements, a reinspection of the premises will not be required.
- (f) Any present or proposed owner of a building feeling aggrieved by the issuance of a notice of noncompliance may appeal to the plumbing board of appeals by following the procedure outlined in section 26-937 and 26-938 of the Code.
- (g) No warranty. A certificate of compliance indicates that so far as can be reasonably determined by a visual inspection of the premises and review of city records, the premises meets the requirements of this article. Neither the city nor its inspectors assume any liability in the inspection or issuance of a certificate of compliance, and the issuance of a certificate of compliance does not guarantee or warrant the condition of the premises inspected.
- (h) In order not to delay or prevent a pending sale of a property affected by this section, a buyer or other transferee may file with the building inspection department evidence of a contract or accepted bid for work which, when completed, will bring the property into compliance with the provisions of section 26-1002 of the Municipal Code within the time limits set forth in subsection (d) above, along with evidence that adequate funds have been escrowed to complete said work, and a stipulation agreeing to bring the property into compliance with the provisions of section 26-1002 within the applicable time limits. Said evidence and stipulation may only be filed after the inspection provided for in subsection (b) above. Failure by the buyer or transferee to bring the property into compliance within the applicable compliance period shall constitute a violation of this Code and shall be subject to the penalties set forth in section 26-908.
- (i) *Clearwater Compliance Inspection Fees.* The fee for each inspection pursuant to this section shall be \$40.00, except there shall be no fee for a re-inspection after an initial inspection if the inspector conducting said re-inspection determines that the property is in full compliance with the provisions of section 26-1002.

(Ord. No. 106-98-99, § 1, 12-7-98; Ord. No. 127-98-99, § 1, 2-1-99; Ord. No. 25-00-01, § 1, 7-17-00; Ord. No. 45-11-12, §§ 1, 2, 11-7-11)

Sec. 26-1009. Backflow preventers.

In this section, "sanitary building drain" means horizontal piping within or under a building, installed below the lowest fixture or the lowest floor level from which fixtures can drain by gravity to the building sanitary sewer.

All new residential, commercial and industrial buildings shall have backflow prevention valves installed on all sanitary building drains at the owner's expense, except as provided below.

A property owner may apply in writing to the manager of planning and inspection services for an exception to the provisions of this section. The application must include evidence of the elevation of both the sanitary building drain and the nearest manhole to which the sanitary building drain is or will be connected. The manager of planning and inspection services may approve the exception if the elevation of the sanitary building drain is at least two feet higher than the elevation of the nearest manhole to which the sanitary building drain is or will be connected.

(Ord. No. 112-98-99, § 1, 1-18-99; Ord. No. 77-00-01, § 1, 1-15-01; Ord. No. 7-01-02, § 1, 6-4-01)

Sec. 26-1010. Rain water drains.

Every building and all parts thereof shall be so drained so as not to cause dampness on the walls and ceilings. No downspout within six feet of adjoining property shall be pointed toward such property. Discharge from a downspout shall not create a nuisance. The downspout discharge shall be considered a nuisance in situations including, but not limited to, such discharge creating icing problems on city streets, alleys or sidewalks, damaging a city street or sidewalk, creating ponds of standing water, or flowing over adjoining property.

(Ord. No. 19-99-00, § 1, 8-2-99)

Sec. 26-1011. Sump pumps.

In areas where storm sewers are not available, sump pumps shall discharge onto the surface and shall be directed either to the rear lot line or to the street and shall not be directed as to flow on adjacent property. Discharge from the sump pump shall not create a nuisance. The sump pump discharge shall be considered a nuisance in situations including, but not limited to, such discharge creating icing problems on city streets, alleys and sidewalks, damaging a city street or sidewalk, creating ponds of standing water, or flowing over adjoining property.

(Ord. No. 19-99-00, § 2, 8-2-99)

Secs. 26-1012—26-1025. Reserved.