

**CHAPTER 15
PLUMBING CODE**

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15.01 TITLE. This chapter shall be known as the Plumbing and Drainage Code of the Town and will be referred to as "this code."

15.02 PURPOSE. The purpose of this code is to safeguard life, property, health and sanitation by regulating and providing for the inspection of the installation and use of plumbing and drainage systems, sprinkler systems and fixtures in and serving buildings and structures hereafter erected, constructed, enlarged, altered, repaired, moved or converted to other uses and to regulate the use of applicable equipment.

15.03 INVALIDITY OF PART. The several sections, subsections, and paragraphs of this chapter are hereby declared severable. If any section, subsection, paragraph or subparagraph of this chapter shall be declared by a decision of a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the other provisions of the chapter or the section of which the invalid portion or paragraph may be a part.

15.04 STATE PLUMBING CODE ADOPTED. Except as otherwise specifically provided herein, the provisions and regulations of Chs. 144 and 145, Wis. Stats., and Chs. COMM 81, COMM 82, COMM 83, HR 84, COMM 85 and COMM 86, Wis. Adm. Code, the Rules of the Department of Industry, Labor and Human Relations; and as amended from time to time and such additional rules and regulations

as may be adopted by the Town, are hereby made a part of this code by reference and shall extend over and govern the installation of all plumbing and drainage installed, altered or repaired in the Town.

15.05 MATERIALS NOT COVERED BY CODE. No person shall install, cause to be installed or use any type of plumbing fixture, material, apparatus, piping or any other part of the plumbing that is in any way connected to the plumbing within the Town, which is not specifically mentioned in or permitted by this code until it has been approved in writing by the Plumbing Inspector. For approval, manufacturer's specifications, instructions for installation, complete test data; in addition, a letter of approval from the State Board of Health shall be submitted to the Plumbing Inspector.

15.06 PLUMBING DEFINED. For the purpose of this chapter, plumbing is defined to mean and to include the following:

- (1) All piping, fixtures, appliances and appurtenances in connection with the water supply and drainage systems within a building and to a point from 3' to 5' outside of the building.
- (2) The construction and connection of any drain or waste pipe carrying domestic sewage from a point within 3' to 5' outside of the foundation walls of any building with the sewage service treatment and disposal systems and the alteration of any such systems, drains or waste pipe, except minor repairs to faucets, valves, pipes, appliances and removal of stoppages.
- (3) The water service piping from a point within 3' to 5' outside of the foundation walls of any building to the mains in the street, alley or other terminal, and to connections of domestic hot water storage tanks, water softeners and water heaters with the water supply system.
- (4) The water pressure system other than municipal systems, as provided in Ch. 144, Wis. Stats.
- (5) A plumbing and drainage system so designated and vent piping so installed as to keep the air within the system in free circulation and movement, and to prevent with a margin of safety on equal air pressures of such force as might blow, siphon or affect trap seals or retard the discharge from plumbing fixtures or permit sewage air to escape into the building.
- (6) Plumbing as regulated by this chapter shall not apply to the following as set forth in Ch. 145.06(4), Wis. Stats.:
 - (a) Plumbing from the private water supply pump to and including the initial pressure tank and connection to an existing water distribution system, when installed by a licensed person under Ch. 162, Wis. Stats.
 - (b) Installation of sewer and water service piping from the main to the property line, when installed by authorized municipal utility employees or sewer and

water utility installers under contract with a municipality.

(c) Making minor repairs to faucets, valves, pipes or appliances, repair or replacement of electrical or gas energy or other automatic valves or control devices or removing of stoppages in waste or drain pipes.

(d) Installation of sewer and water mains, as defined in Ch. 144, Wis. Stats., when installed by sewer and water utility contractors and their employees.

(e) Installation, repair or replacement of water service piping, from the property line to the meter, including meter installation, to service any building or structure or proposed building or structure when such installation, repair or replacement is accomplished by employees of a public municipal water utility.

(7) Fire protection and sprinkler systems shall be in accordance with Wisconsin State Codes.

15.07 PLUMBING INSPECTION DEPARTMENT.

(1) There is hereby created the Plumbing Inspection Department under the general administration, direction and supervision of the Town Building Inspection Department. Plumbing Inspectors shall be registered and licensed by the State in accordance with the provisions of COMM 81. Plumbing Inspectors shall serve as appointees of the Building Inspector.

(2) **COMPENSATION.** Plumbing Inspection Department services shall be compensated as follows:

(a) The Building Inspection Department shall receive as its compensation for the administrative services an amount equal to 45% of the fees herein established. All expenses for administrative personnel, equipment, office supplies, telephone service and office space necessary in the conduct of the Plumbing Department administrative services, as required by this code, shall be furnished and paid for by the Building Inspection Department.

(b) Plumbing Inspectors shall receive as compensation for all inspection services an amount equal to 45% of the fees herein established. All transportation as required to perform the inspection services shall be furnished and paid for by the Plumbing Inspectors.

(c) The Town shall receive as its compensation for providing office accommodations and office furnishings an amount equal to 10% of the fees herein established.

(d) The Plumbing Inspection Department shall deposit the total amount of all plumbing permit fees collected with the Town Clerk, which the Clerk will turn over to the Town Treasurer for retention and disbursement to the Building Inspection Department and the Plumbing

Inspectors in accordance with the provision set forth above.

(e) The Plumbing Inspection Department shall file a monthly report with the Town Clerk showing all plumbing permits issued during the month.

(3) **DUTIES OF PLUMBING INSPECTOR.** The Plumbing Inspector shall make all inspections and enforce all the provisions of this chapter and regulations of Waukesha County relating to plumbing and drainage installations.

(4) **AUTHORITY OF PLUMBING INSPECTOR.** (a) The Plumbing Inspector shall have the power and authority at all reasonable times for any proper purposes in connection with official duties to enter upon private or public premises and make inspections thereof and to require of any person doing plumbing or drainage work to produce a license and permit therefor. Any person who shall resist or obstruct any lawful exercise of authority by the Plumbing Inspector shall be subject to the penalty provided in this chapter.

(b) The Plumbing Inspection Department is authorized to withhold approval of an application for a plumbing permit to any person who has not complied with a lawful order of the Plumbing Inspector. The person refused a permit may appeal such refusal as provided herein.

(c) Whenever any work is ready for inspection, the Plumbing Inspection Department shall be notified in advance by the plumber in charge or persons receiving the permit, specifying the permit number of the work, which is being done. The Inspector shall then proceed to make the inspection. Unless otherwise permitted by the Inspector, all work shall be left uncovered for examination until examined and approved by the Inspector.

(5) **RECORDS.** There shall be kept by the Plumbing Inspection Department a complete record of all applications and permits, regularly numbered in the order of their issue. All inspection reports shall be entered on forms furnished by the Plumbing Inspection Department and the Plumbing Inspectors shall submit all reports of inspections to the Department on the last day of each month.

(6) **ENFORCEMENT OF CODE VIOLATIONS.** Whenever it shall be reported to the Plumbing Inspector that any plumbing installation is contrary to the provisions of this code, the Plumbing Inspector shall examine such plumbing installation and report his findings in writing, stating corrective measures and changes necessary to bring such work in compliance with this code and to fix a time for doing the same. Copies of such findings and orders shall be furnished to the Building Inspection Department.

(7) REPORTING UNSANITARY CONDITIONS. Whenever it is reported to the Waukesha County Health Department or the Plumbing Inspector that the plumbing or plumbing connections in any building are contrary to this code or any regulations of the Waukesha County Health Department or is of such faulty construction as to cause the same to be or become a menace to health or when upon a complaint made to the Waukesha County Health Department or the Plumbing Inspector or any person that the plumbing or plumbing connections in any building are defective as stated above, the Plumbing Inspector shall examine all of the building and report his findings to the Waukesha County Health Department suggesting such changes as are necessary to put the same in proper sanitary condition. The Waukesha County Health Department shall direct such changes to be made, as it deems necessary and fix the time for doing it. Any person refusing to comply therewith shall be guilty of a violation of this code and each day's continuation thereof shall constitute a separate offense.

15.08 APPEAL FROM DECISION OF PLUMBING INSPECTOR. Any person believing himself aggrieved by any order or ruling of the Plumbing Inspector may appeal from such ruling to the Town Board within 20 days after written notice of such ruling or order shall have been delivered to him. Such appeal shall be in writing setting forth the order appealed from and the respects in which the person believing himself aggrieved claims such order or ruling is erroneous or illegal. The notice of appeal shall be filed with the Town Clerk who shall thereupon notify the Plumbing Inspector of such appeal and the appeal shall be heard at the next scheduled meeting of the Town Board. The Town Board, after consideration thereof, shall affirm, reverse, or modify the ruling. The ruling or order of the Plumbing Inspector shall be enforced until changed by the Town Board.

15.09 APPLICATION AND PERMITS. (1) PERMIT REQUIRED. No plumbing or drainage work as herein defined shall be commenced or continued within the Town until a permit therefor has been obtained from the Inspection Department by a licensed master plumber or a property owner in a one-family building owned and occupied by him as his home or farm building.

(2) APPLICATION FOR PERMIT. Application for a plumbing permit shall be made in writing upon blank forms issued by the Building Inspection Department. Detailed plans for residential work may be required. All applications for commercial structures shall be accompanied with detailed plans as approved by the Department of Industry, Labor and Human Relations. All applications for a permit to do plumbing and drainage work shall fully and truly state all the purposes for which the plumbing and drainage is to be used and provide a full and accurate description of the property to be affected,

including the house number, if available, the cost of the proposed work and the name of the street or highway to be opened, together with the names of the nearest intersecting streets. When necessary, plans showing the work to be done in detail may be requested for residential work. All applications for commercial work shall be accompanied with detailed plans as approved by the Wisconsin Department of Industry, Labor and Human Relations.

(3) SANITARY DISTRICT PERMIT. Before any connection is made with any municipal sewage or water system, a permit shall be obtained from an authorized representative of the Sanitary District having jurisdiction over the place where the connection is to be made. Application for such Sanitary District permits shall be made on forms issued by the Building Inspection Department. No person shall be allowed to connect to a municipal sewer or water system in any manner while delinquent in the payment of any sewer or water tax or installment thereof nor to municipal sewage and water system where the cost to such applicant has not been assessed, except when permission to do so has been given by the applicable Sanitary District Commission.

(4) RECORD OF SANITARY CONNECTIONS. The Plumbing Inspector shall keep a record of all sanitary sewer and water connections showing the location of the same and position of all house drain connection junctions and other data necessary for the efficient service of his department. A copy of such record shall be furnished to the Building Inspection Department and to the Secretary of the Sanitary District.

(5) WORK STARTED WITHOUT PERMIT. In case the plumber fails to obtain a permit before work controlled by this code has been started, the fee-listed shall be doubled.

(6) TERM OF PERMIT. A plumbing permit shall stay in force for 6 months after the date of issuance. If all plumbing work is not completed within such time, the permit may be extended at the discretion of the Plumbing Inspector.

(7) REVOCATION OF PERMIT. A plumbing permit may also be revoked at any time during the 6-month period if the plumber does not comply with all provisions of this code.

15.10 PERMIT FEES. Permit fees for plumbing work shall be as listed herein and shall be paid in advance of the issuance of any plumbing permit.

PLUMBING FEES	
Each trapped fixture outlet	\$ 7.00
Automatic washer	\$ 7.00
Dishwasher	\$ 7.00
Garbage disposal	\$ 7.00
Grease traps	\$ 7.00
Grease interceptors	\$ 7.00
Floor drains	\$ 7.00

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PLUMBING FEES (CONTINUED)	
Water heaters, gas or electric	\$ 7.00
Swimming pool heaters	\$ 7.00
Swimming pool filters	\$ 7.00
Solar water heaters	\$20.00
Wash fountain	\$ 7.00
Water softener	\$ 7.00
Water filter	\$ 7.00
Sump pumps	\$ 7.00
Storm sewer conductors	\$ 7.00 each
Catch basins	\$30.00
Sewer ejector systems	\$30.00
Sillcocks	\$ 7.00
High pressure boilers	\$50.00

WATER AND SEWER	
Sewer lateral 100' or less	\$ 35.00
Over 100' add per lft	\$ 35.00
Water lateral 100' or less	\$ 35.00
Over 100' add per lft	\$ 35.00
Sampling manhole	\$ 30.00
Garage and yard catch basins	\$ 30.00
Inside sanitary sewer	\$ 35.00
Over 100' add per lft	\$ 35.00
Inside storm sewer	\$ 35.00
Over 100' add per lft	\$ 35.00
Inside conductor pipes	\$ 10.00 each
Well closing permit	\$ 35.00
Septic system permit	\$ 35.00
Septic system disconnection	\$ 35.00
Holding tank installation	\$ 35.00
Holding tank disconnection	\$ 35.00

FIRE PROTECTION SYSTEMS	
Plan Review	\$ 35.00
Chemical suppression systems job costs per \$1,000 or fraction	\$ 20.00
Minimum Fee	\$ 35.00
Fire protection piping, underground or exposed each 10' or fraction thereof	\$ 35.00
Minimum Fee	\$ 60.00
Sprinkler Heads	\$ 0.35 each
Fire hose racks	\$ 10.00 each
Fire Department connection	\$ 20.00
Hydrants	\$ 35.00 each
Standpipes	\$ 35.00 each
Sprinkler test	\$ 50.00 each

MISCELLANEOUS	
Other fixtures not listed	\$ 7.00 each

MISCELLANEOUS (CONTINUED)	
Failure to call for inspection	\$ 35.00
Failure to take out permit	Double Fee
Reinspection	\$ 35.00

15.11 PLUMBER'S LICENSE. No person shall carry on the business of plumbing or the installation of plumbing connections or do or perform any such work in the Town until he has first obtained the license prescribed by the State Board of Licensing as required by law and set forth in the State Plumbing Code and until all of the provisions of this chapter have been fully complied with.

15.12 INSPECTION AND TESTS. (1) REQUEST FOR INSPECTION. Whenever any work is ready for inspection, the Plumbing Inspector shall be notified in advance by the plumber in charge or persons receiving the permit, specifying the permit number of the work, which is being done. The inspector shall then proceed to make the inspection. Unless otherwise permitted by the Inspector, all work shall be left uncovered for examination until examined and approved by the Inspector.

(2) TESTS AND ACCESSIBILITY OF WORK. The plumber in charge or the owner shall make such arrangements as will enable the Inspector to reach all parts of the building readily and shall have present the proper apparatus and materials and perform all labor necessary for making such tests as are required by the Plumbing Inspector.

(3) FINAL INSPECTION. When all plumbing work is completed, the plumber in charge shall request a final inspection.

15.13 LOCATION OF SANITARY CONNECTIONS. No person, except a licensed plumber as herein provided, shall be permitted to tap or make connections with the general sewage system or any part thereof. Such information as the Plumbing Inspector, Town Engineer, or Sanitary District Commission may have with regard to the location of junctions or slants will be furnished to plumbers. The Plumbing Inspector, Town Engineer, or Sanitary District Commission assumes no risk as to the accuracy of the same. A slant connection of a 118 bend may be used on any pipe over 8" in diameter. At no time shall the connection be made in a pipe having a diameter of 8" or less.

15.14 FUTURE CONNECTION PROVISION. When at the time of the issuance of a plumbing permit there is no sanitary sewer available for such premises, adequate provisions in the installation of plumbing connections shall be made so as to provide for future connection with a sanitary sewer, which may be constructed to serve the premises at a future date.

15.15 AREAS WITHOUT PUBLIC WATER. (1) STATE WELL AND PUMP CODE ADOPTED. All water pumps and wells shall be installed and constructed in accordance with

the current "Wisconsin Well Construction and Pump Installation Code," and such code is made by reference a part of this code.

(2) WELL AND PUMP PERMITS REQUIRED. No well may be dug or pump installed without first having obtained a permit for such work. A permit shall be obtained by the well driller for the drilling of the well and a permit shall be obtained by the pump installer for the installation of the water pump.

(3) WELL LOG AND TESTS. The well driller shall be required to furnish to the Plumbing Inspector a copy of the well drilling log, together with a copy of the test of the well as to safety and fitness for use as certified by the State Board of Health.

15.16 AREAS WITHOUT PUBLIC SEWERS. COMM 83, Wis. Adm. Code, entitled "Private Sewage Systems" is hereby made a part of this chapter by reference and shall be enforced by the Town Plumbing Inspector. A permit to construct a private sewage system shall not be issued by the Plumbing Inspector prior to having received a sanitary permit from the Waukesha County Department of Health.

15.17 CONNECTION TO MUNICIPAL SEWER SYSTEM. All buildings used for human habitation and located adjacent to a municipal sewer main or in a block through which a sewer main has been extended, shall connect to such sewer main within one year from the date of notice from the Sanitary District Commission that such sewer main has been installed and is available for sewer service. All sewer main connections shall be installed in accordance with the rules and regulations of the Town and City of Brookfield relating to the installation of such connections. The total cost and expense for such connections shall be paid by the owner of the premises. If the owner fails to connect to the municipal sewer system within the time provided, the Town may cause such connection to be made and charge the total cost and expense thereof to the property owner. If the property owner fails to pay such charge within 30 days of the date of billing, the Town may place such charge, together with interest thereon, on the next succeeding tax assessment for the property as a special tax against such property to be paid in the same manner as other real estate taxes levied against such property are paid. Interest shall be computed in the same manner and amount as interest on delinquent real estate taxes.

15.18 SEWAGE HOLDING TANKS FOR BUSINESS, INDUSTRIAL AND PUBLIC USES.

(1) PUBLIC POLICY. In order to provide for construction of business, industrial and public buildings in areas in which no public sewers are available and where the soil conditions are such that a percolation test cannot be made which would satisfy the requirements of the State Plumbing Code, the Town Plumbing Code and the Health

Code of Waukesha County, the installation of sewage holding tanks shall be permitted until such time as public sewers are available in accordance with the terms of this chapter.

(2) DEFINITION. In this section, "business" buildings are defined to be buildings principally used for the conduct of any business upon the premises; "industrial" buildings are defined to be buildings principally used for industrial purposes; "public" buildings are defined to mean any structure used in whole or in part as a place of resort, assemblage, lodging, trade, traffic, occupancy or used by the public or by 3 or more tenants.

(3) PERCOLATION TESTS REQUIRED. Prior to any approval of the installation of any sewage holding tank, percolation tests must be made in accordance with the provisions of the Town Plumbing Code and the Waukesha County Health Code which would establish the fact that the soil conditions are such that a septic tank disposal system would not function properly in accordance with the regulations of the Town Plumbing Code and the Waukesha County Health Code.

(4) APPROVALS REQUIRED. (a) PLANS AND SPECIFICATIONS. Plans and specifications for installation of a sewage holding tank shall be submitted to the Plumbing Inspector for his approval by the owner of the real estate where the holding tank is proposed to be installed and submitted to the County Department of Health for its approval. Approvals shall be obtained before the proposed holding tank is installed.

(b) AGREEMENT. Prior to approval of a holding tank permit, the property owner shall enter an agreement with the Town guaranteeing the pumping and transportation of the holding tank contents to a disposal site meeting State and County requirements. The agreement shall specify that if the owner does not cause the holding tank to be properly maintained in response to orders of the Town, the County Health Department or State agency, and if it becomes necessary to prevent or abate a nuisance as described in §§146.13 and 146.14, Wis. Stats., the Town shall provide for pumping and transportation of the holding tank contents. The agreement shall also include the requirements that a quarterly pumping report be submitted by the owner or his agent to the Town and to the County Health Department, which shall state the owners name, the dates, volumes pumped and the disposal site. An annual pumping report or the 4th quarter report, including a summary of the pumping history of the previous year, shall be submitted to the State agency by the Town or Waukesha County. The agreement shall be binding on the owners, their heirs and assignees and recorded in cognizant with the deed.

(5) CASH DEPOSIT REQUIRED. (a) At the time of filing plans and specifications for installation of a sewage holding tank, the owner shall deposit with the Town Clerk a cash deposit of \$1,000 which shall be used to reimburse the Town for any expenses incurred in inspection, operation or pumping out of such sewage holding tank, if the owner fails to do so, or any legal action required by the Town relating to installation, operation and maintenance of the sewage holding tank.

(f) The Town Board may direct that the cash deposit be increased at any time and the applicant shall maintain the cash deposit at all times in the amount provided in this section or as determined by the Town Board. The applicant shall promptly reimburse the Town for any costs and expenses incurred by the Town in the operation, maintenance or pumping out of such sewage holding tank, if the owner fails to do so, or in the enforcement of this chapter.

(g) The cash deposit made by the applicant shall be retained by the Town as long as the holding tank is in operation. If such holding tank shall be abandoned in favor of public sewers or other method of sewage disposal, the cash deposit shall be refunded to the owner without interest, providing that the abandonment of the holding tank complies with all Town, County and State regulations.

(h) The owner shall maintain the system at all times in good operating condition and remove sewerage therefrom at such times as is required to maintain the system in good operating condition. The Plumbing Inspector shall make periodic inspections of the facility and, if he finds any defect in the operation or maintenance of the system or removal of sewerage therefrom, the owner shall correct the same within 5 days after written notice from the Inspector. If the owner fails to make such corrections within the time provided, the Town may make such corrections and charge such costs and expenses to the cash deposit made by the owner as provided in this section. The Town shall also charge an additional 15% of the cost of the work to cover its administrative expense.

(i) If the Town is required to remove sewerage from a holding tank because of the owner's failure to do so at the time required for such removal in order to prevent such sewage holding tank from overflowing or becoming a public nuisance or if the owner fails to make any necessary repairs thereof or fails to properly maintain the same, the Town may cause the removal of the sewerage from the holding tank or make such repairs as may be necessary, charge the total cost and expense to the owner and deduct such cost and expense from the cash deposit made by the owner as provided in this section.

(j) The Town Clerk shall notify the owner in writing of any withdrawals made from such cash deposit as herein provided and the owner shall reimburse such cash deposit within 10 days from the date of such notice so that such cash deposit will be in the minimum amount provided in this chapter.

(6) CONDEMNATION. If the Town is required to remove sewerage from the sewage holding tank because of the owner's failure to do so as required in the proper operation of the system or if the Town is required to repair or service such sewage holding tank due to any neglect or deficiency by the owner, this shall constitute a violation of this section and such violation, including failure to maintain the required cash bond at the stated minimum amount as provided in this section, shall subject the premises which is being served by the sewage holding tank to being condemned as "unfit for human habitation or occupancy ."

(7) VIOLATIONS. (a) If the owner of the premises fails to maintain such cash deposit in the minimum amount provided in this section, and fails to make any payments as directed by the Town Board in connection with this section, the Town Board may assess such charges against the real estate upon which such sewage holding tank is located as a special assessment, and collect in the same manner as other real estate taxes against such premises are levied and assessed.

(b) If the Town is required to maintain and pump out such sewage holding tank because of the owner's failed to do so, the Town Clerk shall notify the owner in writing of the cost and expense of such maintenance and pumping out of such holding tank and the owner shall reimburse the Town for such cost and expense within 30 days from the date of such notice. If the owner of the premises fails to make payment for such cost and expense of such maintenance, and pumping out of such sewage holding tank, the Town Board may assess such charges against the real estate upon which such sewage holding tank is located as a special assessment and collect same in the manner as other real estate taxes against such premises are levied and assessed.

(8) PREMISES EXEMPT FROM REQUIREMENT OF CASH DEPOSIT. (a) The owner of any existing business, industrial or public building for which a sewage disposal system is required to be replaced by a sewage holding tank shall not be required to make a cash deposit to the Town Clerk as provided in sub. (5) of this section.

(b) If the Town shall be required to maintain and pump out such sewage holding tank for which a cash deposit is not required under this section because of the owner's failure to do so, sub. (7) shall apply.

15.19 SEWAGE HOLDING TANK FOR RESIDENTIAL USE.

Sewage holding tanks will be permitted for existing residential use where it has been determined by the Plumbing Inspector and County Health Department that the existing sewage disposal system upon the premises is inoperative based on percolation tests and boring tests and does not meet the requirements of the County Health Department and that the construction of a new sewage disposal system would not be approved by the County Health Department. No permit shall be issued for a sewage holding tank for existing residential use until a written report is filed with the Town Board from the County Health Department indicating that a holding tank is the only solution acceptable to the County Health Department.

(1) Plans and specifications for the installation of a sewage holding tank for residential use as herein provided shall be submitted to the Town Board and County Health Department by the owner of the real estate where the holding tank is proposed to be installed for their approval. Such approvals shall be obtained before the proposed sewage holding tank is insured. At the time of the filing of the plans and the specifications for the installation of the sewage holding tank for residential use as herein provided, the owner shall deposit with the Town Clerk a cash deposit in the amount of \$500 which shall be used to reimburse the Town for any expenses incurred in the inspection, operation or pumping out of such sewage holding tank in the event the owner fails to do so or legal action is, required by the Town relating to the installation, operation and maintenance of the sewage holding tank. If plans for the installation of the proposed sewage holding tank are not approved and the holding tank is not installed, the cash deposit shall be refunded to the owner.

(2) The cash deposit shall be maintained at all times in the amount provided in this section. The owner shall promptly reimburse the Town for any costs and expenses incurred by the Town in the operation, maintenance, or pumping out of such sewage-holding tank if the owner fails to do so.

(3) The cash deposit made by the applicant shall be retained by the Town as long as the holding tank is in operation. The Treasurer shall deposit the cash deposit in an interest paying bank account, selected by the Treasurer, and all interest earned on such account shall be retained by the Town to apply towards administrative expenses with reference to inspection and operation of the holding tank. If such holding tank is abandoned in favor of public sewers or other method of sewage disposal, the cash deposit shall be refunded to the owner, if abandonment of the holding tank complies with all Town, County and State regulations.

(4) All the provisions of this section relating to maintenance and operation of sewage holding tanks for business, industrial and public buildings in the Town shall

apply with reference to sewage holding tanks used for residential purposes as provided in this section.

(5) No sewage holding tanks shall be permitted for any new residential construction.

15.20 DISCHARGE OF RAIN. SURFACE. SUBSURFACE AND CLEAR WATERS INTO PUBLIC SANITARY SEWERS PROHIBITED.

(1) No person shall connect any building or premises with any public sanitary sewer by a drain or connection by which sump pump water, rain, surface, subsurface, roof drains or clear waters may be discharged into the public sanitary sewer system.

(3) The Plumbing Inspector and his designates, upon identification, may enter any building or premises supplied with public sewer facilities for the purpose of inspecting and testing all plumbing, together with all form of clear water drainage, to ascertain quantity, quality and condition of sanitary and clear water sewerage facilities.

(4) All building foundation drains shall terminate in a sump pit of not less than 20" in diameter and 24 " in depth. The sump crock shall project a minimum of 2" above the adjacent finish floor. An approved ejector pump shall be maintained to be functional. The minimum size (ejector) sump pump discharge and extension thereto for any future installations shall be 1-1/4". The vertical discharge pipe shall be provided with a flexible joint or sound-deadening fitting.

(5) All sump pumps installed for the purpose of discharging clear waters from the foundation drains and ground infiltration, and where the building is not serviced by a storm sewer, shall either discharge into a conduit leading toward a drainage ditch or street or shall discharge onto the ground at least 3' out from the building and 1' above the permanent grade. The drainage shall be across the owner's property toward a street or drainage ditch if practicable. It shall not run on adjacent properties or create a nuisance.

15.21 WELL ABANDONMENT ORDINANCE.

(Recreated: 05/20/1997)

(1) **PURPOSE.** To prevent contamination of groundwater and to protect public health, safety and welfare by assuring that unused, unsafe or noncomplying wells or wells which may serve as conduits for contamination are properly abandoned or wells which may be illegally cross-connected to the municipal water system, are properly abandoned.

(2) **APPLICABILITY.** This ordinance applies to all wells located on premises served by Sanitary District No. 4 – Town of Brookfield municipal water system.

(3) **DEFINITIONS.**

(a) **MUNICIPAL WATER SYSTEM** means a system for the provision to the public of piped water for human

consumption. Such a system is solely maintained and operated by Sanitary District No. 4 – Town of Brookfield.

(b) **NONCOMPLYING** means a well or pump installation which does not comply with the provisions of Ch. NR 812, Wis. Adm. Code, in effect at the time the well was constructed, a contamination source was installed, the pump was installed, or work was done on either the well or pump installation.

(c) **PUMP INSTALLATION** means 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.

(d) **UNSAFE** means a well or pump installation which produces water which is bacteriologically contaminated or contaminated with substances which exceed the standards of Chs. NR 140 or NR 809, Wis. Adm. Code, or for which a Health Advisory has been issued by the Department of Natural Resources.

(e) **UNUSED** means a well or pump installation, which is not in use or does not have a functional pumping system.

(f) **WELL** means an excavation or opening into the ground made by digging, boring, drilling, driving, or other methods for the purpose of obtaining groundwater for the purpose of obtaining groundwater for consumption or other use.

(g) **WELL ABANDONMENT** means the filling and sealing of a well according to the provisions of Ch. NR 812, Wis. Adm. Code.

(h) **SANITARY DISTRICT** means Sanitary District No. 4 – Town of Brookfield.

(4) MUNICIPAL WATER CONNECTION OPTIONS. At such time as any premise is connected to the municipal water system owned and operated by the Sanitary District, the property owner shall cause the private well on the premises to be properly abandoned and sealed, or, as an alternative, the property owner may continue to use the private well if:

- (a) There is one (1) dedicated outside line from the pressure tank; or
- (b) There is one (1)-dedicated line around the interior perimeter of the residence so as to connect several hose bibs to the outside. The dedicated line must be color coded so that it is easily recognized as a separate line from other piping in the house. A master plumber must certify that the dedicated line is a totally separate line, and is not connected to the municipal water system.

(5) WELL ABANDONMENT REQUIREMENTS. In the event the well or wells located on the premises served by

the Sanitary District municipal water system are abandoned, such abandonment shall be in accordance with the terms of this ordinance and Ch. NR 812, Wis. Adm. Code. Such abandonment shall be completed not later than one (1) year from the date the premises are connected to the municipal water system, unless a well operation permit has been obtained by the well owner from the Sanitary District, which permit shall not be issued unless one of the alternative options required herein have been certified by the Sanitary District as having been completed.

(6) WELL OPERATION PERMIT. The Sanitary District may grant a permit to a private well owner to operate a well for a period not to exceed five (5) years providing that conditions of this ordinance are met. The Sanitary District, or its agent, may from time-to-time conduct inspections or have water quality tests conducted at the well owner's expense to obtain or verify information necessary to confirm the acceptability of conditional use of the well. Applications for a permit shall be made on forms provided by the Sanitary District. The following conditions must be met for issuance and continued validity of a permit:

- (a) The well and pump installation meet, or are upgraded to meet, the requirements of Ch. NR 812, Wis. Adm. Code in effect at the time the well was constructed. A certified well contractor or pump installer should inspect the well to certify its compliance. Written certification of compliance must be submitted to Sanitary District No. 4.
- (b) Owner/agent must submit a site/survey indicating the location of the well.
- (c) The well and pump installation have a history of bacteriologically safe water as evidenced by at least two (2) consecutive samplings taken a minimum of two (2) weeks apart. No exception to this condition may be made for unsafe wells, unless the Department of Natural Resources approves, in writing, the continued use of the well.
- (d) There are no cross-connections between the well and pump installation and the municipal water system.
- (e) The proposed use of the well and pump installation can be justified being necessary in addition to water provided by the municipal water system.

15.25 PENALTY. Any well owner violating any provision of this ordinance shall, upon conviction, be punished by forfeiture of not less than Ten dollars (\$10.00) nor more than One Hundred (\$100.00), and the cost of prosecution. Each day of violations a separate offense. If any person fails to comply with this ordinance of more than ten (10) 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.