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LEAD SERVICE LINE REPLACEMENT ORDINANCE

(11/28/2023)

(1) INTENT AND PURPOSE. The Common Council finds that it is in the public interest to establish a comprehensive program for the removal and replacement of lead service lines in use within and attached to the City water system, and, to that end, declares the purposes of this section to be as follows:

(a) To ensure that the water quality at every tap of a City water customer meets the water quality standards specified under federal and state law;

(b) To reduce the lead in City drinking water to meet the Environmental Protection Agency standards and ideally to a lead contaminant level of zero in City drinking water for the health of City residents; and

(c) To eliminate the constriction of water flow caused by mineral rich groundwater flowing through lead service pipes and the consequent buildup of mineral deposits inside those lead pipes.

(2) DEFINITIONS. Definitions of terms used in this section are provided below:

(a) "City water system" means the water supply system owned by and located within the City.

(b) "Customer service line" means the portion of a water service line that extends from the outlet of the curb stop to the inlet of a customer's water meter.

(c) "Lead service line" means (i) all or a portion of a water service line constructed of lead, and/or (ii) all or a portion of a water service line constructed of galvanized material that is or was downstream of lead. The term includes both customer service lines and utility service lines.

(d) "Utility" means the City's water utility.

(e) "Utility service line" means the portion of a water service line from the water main to the outlet of the curb stop, including the curb stop, but not the outlet joint of the curb stop.

(f) "Water service line" means the service line the extends from the water main to a customer's water meter.

(3) IDENTIFICATION OF LEAD SERVICE LINES.

(a) The Utility shall create and maintain a record of the location of all identified lead service lines in the City.

(b) Utility representatives shall have the right, upon the presentation of credentials, to request to enter a property connected to the City water system at any reasonable time and inspect that property's customer service line. Any person or entity who owns, manages or otherwise exercises control over a property connected to the City water system shall allow the Utility to inspect the customer service line. If entry is refused, the Utility shall obtain a special inspection warrant under Wis. Stats. § 66.0119.

(c) The Utility shall provide written notice to any person or entity who owns, manages or otherwise exercises control over a property connected to the City water system if that property has been inspected and determined to have a lead service line.

(4) LEAD SERVICE LINE REPLACEMENT REQUIREMENT.

(a) All existing lead service lines that are connected to the City water system must be replaced with water service lines constructed of materials approved by the City.

(b) Existing lead service lines that are connected to City water mains or Utility service lines that will be replaced or reconstructed as part of a City construction project must be replaced in conjunction with that City construction project. No lead service lines shall be reconnected to a City water main or a Utility service line that was replaced or reconstructed.

(c) Existing lead service lines that develop a leak or otherwise need repair may not be repaired but must be replaced.

(d) Other lead service lines shall be replaced in accordance with a schedule developed by the Utility. The schedule shall be developed to eliminate all lead service lines in the City by _____.

(e) Property owners shall replace their customer service lines that meet the definition of a lead service line according to the schedule developed by the Utility. The City or Utility or both may issue citations and penalties prescribed by City ordinance on a property owner that fails to replace their customer service line that meet the definition of a lead service line as required by the schedule.

(5) FINANCIAL RESPONSIBILITY AND ASSISTANCE.

(a) A property owner shall be responsible for the cost of replacing the portion of a lead service line that is a customer service line that serves their property. The Utility

shall be responsible for the cost of replacing all lead service lines that are Utility service lines.

(b) The City may establish a program to provide financial assistance to property owners replacing lead service lines.

(6) **AUTHORITY TO DISCONTINUE SERVICE.** As an alternative or in addition to any other methods provided for obtaining compliance with this section, the Utility may, after giving at least sixty (60) days' notice, discontinue water service to a property served by a customer service line that meets the definition of a lead service line provided the property owner has first been given reasonable opportunity to make the required replacement.

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