



Town of Troy

Walworth County, Wisconsin

N8870 Briggs Street, East Troy, Wisconsin 53120

Office (262) 642-5292

E-mail: clerktreas@troywalworthwi.gov

STATE OF WISCONSIN

TOWN OF TROY

WALWORTH COUNTY

ORDINANCE NO. 2025-02

AN ORDINANCE TO CREATE RULES AND REGULATIONS FOR THE MANAGEMENT AND OPERATION OF THE TROY CENTER SANITARY DISTRICT #1

WHEREAS, Troy Center Sanitary District #1 is operated and managed by the Troy Center Sanitary District #1 Commission (the "Commission"); and

WHEREAS, pursuant to Wisconsin Statutes Section 60.74(1), the Town Board for the Town of Troy was designated the Troy Center Sanitary District #1 Commission; and

WHEREAS, the Commission recommended that the Town Board adopt a Town Ordinance for the rules and regulations for the management and operation of Troy Center Sanitary District #1; and

WHEREAS, the Town Board finds that it is in the best interest of the Town of Troy for the health, general welfare, and safety to adopt rules and regulations for the management and operation of Troy Center Sanitary District #1.

NOW, THEREFORE, The Town Board of the Town of Troy, Walworth County, Wisconsin, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: RULES AND REGULATIONS.

The Town Board for the Town of Troy does hereby create the Rules and Regulations for the Management and Operation of Troy Center Sanitary District #1 as follows:

Rules and Regulations for the Management and Operation of Troy Center Sanitary District #1

- A. Management of the Commission :** The Commission, as allowed by Section 60.77, Wis. Stats., shall, under the general control and supervision of the governing body of the Town of Troy, hereinafter, "Board", be responsible for the entire management of and shall supervise the operation of the utility. The governing body shall exercise general control and supervision of the Commission by enacting ordinances governing the Commission's operation. The Commission was established pursuant to Section 60.74(1), Wis. Stats., and is made up of the Board.
- B. Facilities and Ownership:** The existing water supply system consists of one well and a 4,000-gallon hydropneumatic pressure tank located within a building. Several hydrants and valves are located throughout the distribution system. The Town of Troy shall have the power to lay mains through alleys, streets, and public grounds of the town, to construct and install

power lines, and to do all such work as necessary or convenient in the management of the water system. The Commission or their agents and employees have the right to enter upon any land to examine or supervise in the performance of their duties under this subchapter without liability, therefore.

Consumers Rules and Regulations: The rules, regulations and water rates established by the Commission and as set forth herein shall be considered a part of the contract with each person who is supplied with water through the distribution system. Such person by taking water or by connection with such system shall be considered as expressing their assent and be bound thereby. Whenever any of such rules and regulations or such conditions as the Commission may hereafter adopt are violated, the water may be shut off from the building or place of violation, even though two or more parties are receiving water through the same pipe, and may not be turned on again except by order of the Commission after payment of arrears, expenses and established charges of shutting off, turning on and such other terms as the Commission may determine. These rules shall conform to the established rules and regulations of the Public Service Commission of Wisconsin or State Statutes applicable thereto.

C. Operating Rules:

1. All persons now receiving water services, or who may request service in the future, shall be considered as having agreed to be bound by the rules and regulations as filed with the Public Service Commission of Wisconsin.
2. Application for water service may be made in writing on a form furnished by the Commission. The application shall contain a legal description of the property to be served, the name of the owner, the exact use to be made of the service, and such other information as the Commission may require.
3. Service shall be furnished only if:
 - a. The premises have a frontage on a properly platted street of public strip in which a cast iron or other long-life water main has been laid, or where the property owner has agreed to and complied with the provisions of the Commission's filed main extension rule.
 - b. The property owner has installed or agrees to install a service lateral from the curb stop to the point of use that is not less than six feet below the surface of an established or proposed grade and meets the Commission's specifications.
 - c. The premises have adequate piping beyond the metering point.
4. The owner of a multi-unit dwelling has the option of being served by individual metered water service to each unit. The owner, by selecting this option, 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 account for the purpose of the filed rules and regulations.
5. No division of the water service lateral to any lot or parcel of land shall be made for the extension and independent metering of the supply to an adjoining lot or parcel of land. Except for duplexes, no division of water service lateral shall be made at the curb for separate supplies for two or more separate premises having frontage on any street or public service strip, whether owned by the same or different parties. Duplexes may be served by one lateral provided individual metered service and disconnection is

provided. Buildings used in the same business, located on the same parcel, and served by a single lateral may have the customer's water supply piping installed to a central point so that volume can be metered in one place.

6. The Commission may withhold approval of any application where full information of the purpose of such supply is not clearly indicated and set forth by the applicant property owner.
7. Reconnection of Service:
 - a. Where the Commission has disconnected service at the customer's request, a reconnection charge shall be made when the customer requests reconnection of service.
 - b. A reconnection charge shall also be required from customers whose services are disconnected (shut off at curb stop box) because of nonpayment of bills when due.
 - c. If reconnection is requested for the same location by any member of the same household, or, if a place of business, by any partner of the same business, it shall be considered as the same customer.
8. An applicant for temporary water service 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.
9. When water is requested for construction purposes or for filling tanks or other such uses, an application shall be made to the Commission, in writing, 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 may be required in advance at the scheduled rates. The service lateral must be installed into the building before water can be used. No connection with the service lateral at the curb shall be made without special permission from the Commission. In no case will any employee of the Commission turn on water for construction work unless the contractor has obtained permission from the Commission.
10. Customers shall not allow contractors, masons, or other persons to take unmetered water from their premises without permission from the Commission. Any customer failing to comply with this provision may have water service discontinued and will be responsible for the cost of the estimated volume of water used.
11. In cases where no other supply is available, permission may be granted by the Commission to use a hydrant. No hydrant shall be used until the proper meter and valve are installed. In no case shall any valve be installed or moved except by an employee of the Commission. Before a valve is set, payment must be made for its setting and for the water to be used at the scheduled rates. Upon completing the use of the hydrant, the customer must notify the Commission to that effect.
12. Commission permission for the use of hydrants applies only to such hydrants that are designated for the specific use.
13. Any person who shall, without authority of the Commission, 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 purposes of extinguishing a fire, or who shall

wantonly damage or impair the same, shall be subject to a fine as provided by Town of Troy ordinance.

14. All money deposited as security for payment of charges arising from the use of temporary water service on a metered basis, or for the return of a hydrant valve and fixtures if the water is used on an unmetered basis, will be refunded to the depositor on the termination of the use of water, the payment of all charges levied against the depositor, and the return of the Commission's equipment.

15. Service Lateral:

- a. No water service lateral 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 lateral, unless adequate means of protection are provided by sand filling or such other insulation as may be approved by the Commission. Service laterals 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 lateral and the 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 lateral must be protected against injury by carefully hand tamping the ground filling around the pipe. There should be at least six (6) inches of ground filling over the pipe, and it should be free from hard lumps, rocks, stones, or other injurious material.
- c. All water service laterals shall be of undiminished size from the street main into 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.

16. Replacement and Repair of Service Laterals:

- a. The service lateral 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 Commission. The property owner shall maintain the service lateral from the curb stop to the point of use.
- b. If an owner fails to repair a leaking or broken service lateral from the curb stop to the point of metering or use within such time as may appear reasonable to the Commission after notification has been served on the owner by the Commission, the water will be shut off and will not be turned on again until the repairs have been completed.

17. If a property owner changes the use of a property currently receiving water service such that water service will no longer be needed in the future, the Commission may require the abandonment of the water service at the water main. In such cases, the property owner may be responsible for all removal and/or repair costs, including the water main and the Commission portion of the water service lateral.

18. See Wis. Admin Code § PSC 185.35 regarding charges for water wasted due to leaks.

19. See Wis. Admin Code § PSC 185.88 regarding thawing frozen service laterals.

20. The curb stop box is the property of the Commission. The Commission is responsible for its repair and maintenance. This includes maintaining, through adjustment, the curb stop box at an appropriate grade level where no direct action by the property owner or occupant has contributed to an elevation problem. The property owner is responsible for protecting the curb stop box from situations that could obstruct access to it or unduly expose it to harm. The Commission shall not be liable for failure to locate the curb stop box and shut off the water in case of a leak on the owner's premises.
21. Meters will be owned, furnished, and installed by the Commission or a Commission approved contractor and are not to be disconnected or tampered with by the customer. All meters shall be so located that they shall be protected from obstructions and permit ready access for reading, inspection, and servicing, such location to be designated or approved by the Commission. All piping within the building must be supplied by the owner. Where additional meters are desired by the owner, the owner shall pay for all piping.
22. Repair to Meters:
- a. Meters will be repaired by the Commission, and the cost of such repairs caused by ordinary wear and tear will be borne by the Commission.
 - b. Repair of any damage to a meter resulting from the carelessness of the owner of the premises, owner's 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 damaged from the presence of hot water or steam in the meter, shall be paid for by the customer or the owner of the premises.
23. Where the original service piping is installed for a new metered customer, where existing service piping is changed for the customer's convenience, or where a new meter is installed for an existing unmetered customer, the owner of the premises at his/her expense shall provide a suitable location and the proper connections for the meter. The meter setting and associated plumbing shall comply with the Commission's standards. The Commission should be consulted as to the type and size of the meter setting.
24. The water may only be turned on for the customer by an authorized employee of the Commission. Plumbers may turn the water on to test their work, but upon completion must leave the water turned off.
25. Where the Town has a policy regarding sprinkling restrictions and/or emergency water conditions, failure to comply with such may result in disconnection of service.
26. Failure to Read Meters:
- a. Where the Commission is unable to read a meter, 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 billing period will be computed with the gallons and credit will be given on that bill for the amount of the bill paid the preceding period.

- b. If the meter is damaged 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 determined, the bill will be estimated by some equitable method.
- 27. See Wis. Admin Code § PSC 185.77 regarding complaint meter tests.
- 28. During reasonable hours, any officer or authorized employee of the Commission shall have the right of access to the premises supplied with service for the purpose of inspection or for the enforcement of the Commission's rules and regulations. Whenever appropriate, the Commission will make a systematic inspection of all unmetered water taps for the purpose of checking waste and unnecessary use of water.
- 29. When premises are to be vacated, the Commission shall be notified, in writing, at once, so that it may remove the meter and shut off the water supply at the curb stop. The owner of the premises shall be liable for prosecution for any damage to the Commission's property.
- 30. When the Commission has reasonable evidence that a person is obtaining water, in whole or in part, by means of devices or methods used to stop or interfere with the proper metering of the Commission service being delivered, the Commission reserves the right to estimate and present immediately a bill for unmetered service as a result of such interference, and such bill shall be payable subject to a 24-hour disconnection of service. If the Commission disconnects the service for any such reason, the Commission will reconnect the service upon the following conditions:
 - a. The customer will be required to deposit with the Commission an amount sufficient to guarantee the payment of the bills for Commission service.
 - b. The customer will be required to pay the Commission for any and all damages to Commission equipment resulting from such interference with the metering.
 - c. The customer must further agree to comply with reasonable requirements to protect the Commission against further losses.
- 31. The Commission reserves the right to shut off the water supply in the mains temporarily to make repairs, alterations, or additions to the plant or system. When the circumstances will permit, the Commission will give notification, by newspaper publication or otherwise, of the discontinuance of the water supply. No credit will be allowed to customers for such temporary suspension of the water supply.
- 32. Open ditches for water mains, hydrants, and service laterals shall be properly guarded to prevent accidents to any person or vehicle, and at night there shall be displayed proper signal lighting to ensure the safety of the public.
- 33. Contractors must call Digger's Hotline and ensure a location is done to establish the existence and location of all water mains and service laterals as provided in Wis. Stat. § 182.0175. Where water mains or service laterals have been removed, cut, or damaged during trench excavation, the contractors must, at their own expense, cause them to be replaced or repaired at once. Contractors must not shut off the water service laterals to any customer for a period exceeding six hours.
- 34. Protective Devices:
 - a. Protective Devices in General: The owner or occupant of every premise receiving water supply shall apply and maintain suitable means of protection of

the premise supply and all appliances 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 and/or low-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, reducing valve, water filter, or softener), an effective pressure relief valve shall be installed at or near the top of the hot water tank or at the hot water distribution pipe connection to the tank. No stop valve shall be placed between the hot water tank and the relief valve or on the drainpipe.
- 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 be sized in conformance with local plumbing codes. Where possible, the air chamber should be provided at its base with a valve for water drainage and replenishment of air.

35. Cross-Connections: Every person owning or occupying a premise receiving the Commission's water supply shall maintain such water supply free from any connection, either of a direct or of an indirect nature, with a water supply from a foreign source or of any manner of connection with any fixture or appliance whereby water from a foreign supply or the waste from any fixture, appliance, or waste or soil pipe may flow or be siphoned or pumped into the piping of the system.

D. Water Service Rates: The following water rates and regulations by the Public Service Commission of Wisconsin by order dated January 2, 2025, are hereby adopted by the Town of Troy and incorporated into this chapter as a part hereof.

- 1. Public Fire Protection Service: Public fire protection service includes the use of hydrants for fire protection service only and such quantities of water as may be demanded for the purpose of extinguishing fires within the service area. This service includes water used for testing equipment and training personnel. The annual charge for public fire protection service to the Town of Troy shall be \$15,397, as may be amended from time to time.
- 2. Billing: Bills for water service are rendered quarterly and become due and payable upon issuance following the period for which service is rendered. A past due payment charge of 3 percent but not less than 50 cents will be added to bills not paid within 20 days of issuance. The ONE-TIME 3 percent past due payment charge will be applied only to any unpaid balance for the current billing period's usage. This past due payment charge is applicable to all customers. The Commission customer may be given written notice that the bill is overdue no sooner than 20 days after the bill is issued and unless payment or satisfactory arrangement for payment is made within the next 10 days, service may be disconnected pursuant to Wis. Admin. Code Ch. PSC 185.
- 3. Combined Metering: Volumetric meter readings will be combined for billing if the Commission for its own convenience places more than one meter on a single water service lateral. This requirement does not preclude the Commission from combining

readings when metering configurations support such an approach. Meter readings from individually metered separate laterals shall not be combined for billing purposes.

4. Quarterly Service Charges, as may be amended from time to time:

5/8" meter: \$24
3/4" meter: \$24
1" meter: \$45

Plus, Volume Charges of all water used quarterly, as may be amended from time to time: \$7.54 per 1,000 gallons.

5. General service water customers residing outside the corporate limits of the Town of Troy shall be billed at the rates for general metered service, plus a 25% surcharge.
6. The Commission may assess a \$25.00 charge when a payment rendered for utility service is not honored by the customer's financial institution. This charge may not be in addition to, but may be inclusive of, other such charges when the payment was for multiple services.
7. An amount owed by the customer may be levied as a tax provided in Wis. Stat. § 66.0809.
8. Seasonal customers are general service customers who voluntarily request disconnection of water service and who resume service at the same location within 12 months of the disconnection unless service has been provided to another customer at that location in the intervening period. The Commission shall bill seasonal customers the applicable service charges year-round, including the period of temporary disconnection.
9. The Commission may assess a charge to reconnect a customer, which includes reinstalling a meter and turning on the valve at the curb stop, if necessary. The Commission may not assess a charge for disconnecting a customer.
 - a. During normal business hours: \$40
 - b. After normal business hours: \$75
10. Every reasonable care will be exercised in the proper delivery of water bills. Failure to receive a water bill shall not relieve any person from paying water rates within the prescribed period, nor exempt any person from any penalty imposed for delinquency in the payment thereof.

SECTION 2: SEVERABILITY.

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE.

This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

ORDINANCE NO. <u>2025-02</u>	8	TOWN OF TROY
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Dated this 12th day of NOVEMBER, 2025.

TOWN OF TROY



Jerry Arntsen, Town Chair

ATTEST:



Michael J Ramps, Town Clerk

Published and posted this 13 day of November, 2025.