

ORDINANCE

An Ordinance to amend Section 17.090 of the Manitowoc Municipal Code regulating Water Laterals.

The Mayor and Common Council of the City of Manitowoc do ordain as follows:

Section 1. Section 17.090 is amended to read as follows:

“17.090 Additional Requirements.

...

(4) Lead and Galvanized Iron Water Service Line Replacement.

...

(b) Authorization. This Ordinance is enacted pursuant to Wis. Stat. § 62.11(5) and 281.12(5), and as mandated by 42 U.S.C. Sec. 300g, of the Federal Safe Drinking Water Act, enforced by the United States Environmental Protection Agency and the Wisconsin Department of Natural Resources.

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

1. “City water system” means the water supply system owned by and located within the City.
2. “Customer service line” means the entire water service line that extends from the outlet of the corporation stop at the main to the inlet of a customer’s water meter.
3. “Lead service line” means (i) all or a portion of a customer service line constructed of lead, and/or (ii) all or a portion of a customer service line constructed of galvanized material that is or was downstream of lead.
4. “Utility” means the City’s water utility.

~~(d)~~(e) Identification and Recordkeeping. Pursuant to Wis. Stat. § 196.171 and upon notice from the water utility, any person or entity who owns, manages, or otherwise exercises control over a property connected to the distribution system shall allow the water utility to inspect the service line to determine the service line material. If entry is refused, the Utility shall obtain a special inspection warrant under Wis. Stats. § 66.0119. The water utility shall create and maintain a record of the location of all identified lead and galvanized iron service lines in the City.

~~(e)~~ ~~(d)~~(e) Line Replacement – When Required.

1. Lead and galvanized iron water service lines shall be replaced in their entirety from water main to building control valve, when it appears that any portion of a lead or galvanized iron water service has failed or whenever a public works project may impact the water lines. Such projects include, but are not limited to, water main replacement, sewer lateral repair or replacement, nearby utility excavation, street reconstruction, street surface reconstruction that includes base material replacement, and terrace tree removal.
2. Lead and galvanized iron water service lines, from curb stop to building control valve, shall be replaced whenever any lead or galvanized iron water service line within the street or municipal right-of-way is replaced under order from the Wisconsin Department of Natural Resources or the United States Environmental Protection Agency in order to comply with Wis. Admin. Code § SPS 382.22(2)(b), or other applicable statutes, ordinances, rules or regulations of the City of Manitowoc or the State of Wisconsin.
3. Lead and galvanized iron water service lines tested by the water utility in accordance with Wisconsin Department of Natural Resources lead and copper monitoring that exceed

the lead level established by the Environmental Protection Agency's lead and copper rule shall be replaced within 120 days' notice.

(f) ~~(e)(d)~~ Scheduling. Replacement of water service lines pursuant to this section shall be completed prior to or concurrent with the public works project triggering such replacement. Scheduling of all replacements shall be coordinated between the property owner's contractor and the water utility within 30 days' notice that the project has been scheduled. Additional time to schedule the replacement may be granted by the general manager of the water utility for good cause.

(g) ~~(f)(e)~~ Requirements. All existing lead and galvanized iron water service lines connected to the water distribution system, when replaced, shall be replaced with water service lines constructed of materials as authorized in this section. Repairs, partial replacements, and reconnections of lead or galvanized iron water service lines are prohibited.

(h) ~~(g)(f)~~ Authority to Discontinue Service. As an alternative to any other method provided for obtaining compliance with the requirements of this section, the water utility may, no sooner than 30 days after giving notice of the need to replace, discontinue water service to such property served by the lead or galvanized iron water service line, after reasonable notice by the water utility."

Section 2. This ordinance shall take effect the day after publication.

INTRODUCED _____ ADOPTED _____

JUSTIN M. NICKELS, Mayor

Fiscal Impact: Anticipated no more than \$100 for ordinance publication and code update costs of which are appropriated in the 2024 adopted budget. No additional tax levy or 2024 budget amendments.
Funding Source: 1100-15100-532100
Finance Director Approval: /SMA
Approved as to form: /EGN

This Ordinance was drafted by Eric G. Nycz, City Attorney