

CHAPTER 16.00 WATER UTILITY RULES AND REGULATIONS

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16.01 VILLAGE BOARD TO ACT AS UTILITY COMMISSION.

The Village Board shall act as the Utility Commission and shall have all of the powers and duties of such commission prescribed by 66.068, Wis. Stats.

16.02 ESTABLISHMENT OF SERVICE.

A. Customers to be Bound by Rules and Regulations.

1. Operating Rules. All persons now receiving a water supply from the Utility or who may hereafter make application therefore shall be considered as having agreed to be bound by all rules and regulations as filed with the State Public Service Commission.
2. Public Service Commission Rules Adopted. Ch. PSC 185, Wisconsin Administrative Code, is adopted by reference and made a part of these rules as if set forth in full. Any provisions adopted in this Chapter, which are more stringent, shall apply when not in conflict with Ch. PSC 185. A violation of any such rules shall constitute a violation of this section and shall be punishable as provided in 16.25.

- B. Application. Application for water service shall be made in writing on a form furnished by the Jackson Water Utility. The application will contain a legal description of the property to be served, name of applicant, the use to be made of service and such other information as the utility may require.
- C. Conditions of Providing Service. Service will be provided only if:
1. Premises has a frontage on a regular platted street or public strip in which a Jackson Water Utility main has been laid,
 2. Applicant has installed or agrees to install a service lateral from the curb line to the point of use according to the utility's specifications, and
 3. Premises has approved piping beyond metering point.
- D. Division of Water Service Prohibited. No division of the water service shall be made for the extension and independent use of the supply to an adjoining lot or parcel of land.
- E. The Jackson Water Utility May Withhold Approval of Application. The Jackson Water Utility is hereby empowered to withhold approval of any application wherein full information of the purpose of such supply is not clearly indicated and set forth by the applicant property owner.

16.03 WATER MAIN EXTENSIONS IN PLATTED SUBDIVISIONS.

- A. General Procedure. Plans for the installation of water mains in regularly platted subdivisions shall be filed with the Village and shall set forth the following information:
1. Name of subdivision.
 2. Legal description.
 3. Map showing streets, lots and sizes of proposed mains and hydrants, and street laterals.
 4. Date of approval of subdivision plan by the appropriate state agency.
 5. Date of approval of proposed mains by Department of Natural Resources.

Upon receipt of the proposed plan, the Village will review the extension of water mains and hydrant placement in the subdivision for approval.

If the developer, or a contractor employed by the developer, is to install the water mains (with approval of the utility) the developer shall be responsible for the total cost of the construction.

- B. State Statutes Adopted. Special Assessments shall be done in accordance to Wis. State Stats.

16.04 UTILITY RATES.

WATER UTILITY GENERAL.

- A. All utility rates shall be set forth by Resolution.

1. Billing:

Bills for water service are rendered quarterly and become due and payable on the fifth of the month following the period for which billing is done. A late payment charge of one percent (1%) will be added to bills not paid within twenty (20) days of issuance. This late payment charge is applicable to all customers. The utility customer may be given a written notice that the bill is overdue no sooner than twenty (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 Chapter PSC 185, Wisconsin Administrative Code. (#04-04)

The utility shall attempt to collect from tenants who are required to pay their own water bills. The landlord has the final responsibility of payment for these water bills.

Any check, being given for payment, that is returned by the bank for insufficient funds, shall incur an additional charge of \$25.00 to that customer's account for which the payment was made.

2. Combined Metering:

When a consumer's premises has several buildings, each supplied with service and metered separately, the full service charge will be billed for each meter separately and the readings will not be cumulated. If these buildings are all used in the same business and are connected by the consumer, they can be metered in one place. If the utility, for its own convenience, installs more than one meter, the readings will be cumulated for billing.

3. Discontinuing Use:

Consumers desiring to discontinue the use of water must contact the Utility Department on or before the quarterly billing date, or face being charged for the minimum quarterly charge for the next succeeding month. (#95-17)(#04-04)

- B. PUBLIC SERVICE. Water service supplied to municipal buildings, schools, etc., shall be metered and the regular metered service rates applied. Water used on an intermittent basis for flushing service, street sprinkling, flooding skating rinks, drinking fountains, etc., shall be metered where meters can be set to measure the

service. Where it is impossible to measure the service, the Jackson Water Utility shall estimate the volume of water used based on the pressure, size of opening and period of time water is allowed to be drawn. The metered or estimated quantity, and rate, which shall be billed, shall be set forth by Resolution.

C. PUBLIC FIRE-PROTECTION SERVICE. For public fire-protection service to the Village of Jackson, the annual charge shall be set forth by the Public Service Commission.

D. PRIVATE FIRE-PROTECTION SERVICE – UN-METERED.

This service shall consist of un-metered connections to the main for automatic sprinkler systems; stand pipes (where same are connected permanently or continuously to the mains) and private hydrants.

Quarterly demand charges for private fire-protection service are set forth by the Wisconsin Public Service Commission.

Combined service: Where a four (4) inch or larger connection is made to the main for private fire protection service, such service line may be tapped with a smaller size branch line for general metered service.

E. BUILDING AND CONSTRUCTION WATER SERVICE. Metered service rates shall apply.

16.05 INSPECTION OF PREMISES.

Any officer or authorized employee of the Jackson Water Utility shall have the right of access during reasonable hours to the premises supplied with service, for the purpose of inspection or for the enforcement of the utility's rules and regulations and for compliance with approved subdivision improvement agreement.

16.06 NO CLAIMS FOR DAMAGES.

No person shall enter a claim for damage against the Village of Jackson, as a water utility, or any officer thereof, for damage to any pipe, fixture, or appurtenances by reason of interrupted water supply, or variation of pressure, or for damage of any nature whatsoever caused by the turning off, or turning on, either wholly or partially, of the water supply for the extension, alteration, or repair of any water supply for the extension, discontinuance of the premise's water supply for the violation of any rules or regulations of the Jackson Water Department. No claims will be allowed against the Village, on account of the interruption of the water supply caused by the breaking of pipes or machinery, or by stoppage for repairs, on account of fire or other emergency, and no claims shall be allowed for any damage caused by the breakage of any pipe or machinery.

16.07 RE-CONNECTION CHARGES.

Shall be set forth by Resolution.

16.08 TURNING ON WATER.

The water shall not be turned on for a consumer except by a duly authorized employee of the utility.

16.09 METERS.

- A. METERS. Meters placed by the utility are not to be disconnected or interfered with by the customer. Meters shall be so located that they will be easily accessible for reading and inspection, installation and exchange.

The meter horn shall be installed in a readily accessible location, approximately three (3) feet above the floor, or as designated by the Jackson Water Utility. The customer shall at its own expense, provide the proper connection and shut off valves for the meter.

All commercial/industrial connections with a one (1) inch or larger meter shall install a "bypass" which shall have a valve that will enable the Jackson Water Utility to lock in the closed position.

All residential units shall provide a one (1) inch by seven and one half (7½)-inch meter horn connection with inlet and outlet shutoff valves. The ball valves would either be one (1) inch or three-quarter (3/4) inch depending on the size of the service, and be installed in a readily accessible location, which is approved by the Jackson Water Utility prior to installation of the water meter and connection to the water supply. (#04-15)

No meter shall be installed for customer service without it's own, separate, and individual outside shutoff or stop box. (#95-17) (#97-01)

Disconnections made to a water service shall include removal of meter and meter horn. The water service line shall be permanently disconnected/disabled and approved by the Jackson Water Utility prior to alterations being made. A Plumbing Permit shall be required and work performed by a Licensed Master Plumber unless exempted by Wisconsin State Statutes. (#09-12).

- B. METERED SERVICE.

1. All metered services shall have a separate water lateral and external shut off unless otherwise approved by the Village. The service shall include a curb valve and curb stop box at the property line. (#95-17)
2. One (1) inch water laterals may be used to connect two (2) metered services for condominiums, mobile homes, and other similar multiple residential metered services. A one (1) inch wye shall be connected to individual curb stops and curb stop boxes which shall be installed behind (away from the main) the wye connection at the property line. (#95-17)

C. GENERAL WATER SERVICES – UN-METERED. Where the utility cannot immediately install its water meter, service may be supplied temporarily on an un-metered basis. Such service shall be set forth by Resolution.

16.10 REPAIRS TO METERS.

Meters will be repaired by the water department and the cost of such repairs caused by ordinary wear and tear will be borne by the utility.

Repair of any damage to a meter resulting from the carelessness of the owner of the premises, his 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 freezing, the presence of hot water or steam in the meter, shall be paid for by the consumer or the owner of the premises.

16.11 FAILURE TO READ METERS.

Where the utility is unable to read a meter the minimum charge and the difference adjusted when the meter is again read, that is, the bill for the succeeding quarter will be computed with the gallons or cubic feet in each block of the rate schedule doubled and credit will be given on that bill for the amount of the minimum bill paid the preceding month.

Only in unusual cases and when approval is obtained from the customer shall more than two (2) consecutive estimated bills be rendered.

16.12 TEMPORARY METERED SUPPLY.

An applicant for temporary water supply on a metered basis shall make and maintain a monetary deposit of not less than fifteen dollars (\$15.00) for each meter installed. The charge for setting the valve and furnishing and setting the meter will be five dollars (\$5.00). Ten dollars (\$10.00) will be available to pay for the water used at the scheduled rates.

Where no other supply is available, permission may be granted by the superintendent to use a hydrant after such hydrant is equipped with a sprinkling valve. A charge of two dollars (\$2.00) will be made for setting the valve or moving it and a two-dollar (\$2.00) deposit will be required for the hydrant wheel and reducer. In no case shall any valve be placed or moved except by a member of the water department. If the water is to be used through iron pipe connections, all such pipe installations shall have a swing joint to facilitate quick disconnection from the fire hydrant.

All monies deposited as security for payment of charges arising from the use of temporary water supply on a metered basis, or for the return of a sprinkling valve wheel or reducer if the water is used on an un-metered 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 wheel and reducer.

16.13 CHARGES FOR WATER WASTED DUE TO LEAKS.

When the meter registers losses due to pipe leaks the utility shall determine whether or not the defect in the piping or equipment was known to the customer or, being known, he had used his best efforts to correct the conditions. If the superintendent determines that the loss occurred without the consumer's knowledge or having known about it he had tried to correct the condition, the utility may determine as nearly as possible what is the amount of the loss by comparison with the use of the water during a like period, and the excess may be billed at the lowest step in the rates. If, however, the consumer knew of the leak and failed to give proper attention to it, the utility bills for the total consumption shown by the meter at regular rates.

16.14 STOP BOXES.

- A. A separate, individual stop box shall be required for each individual metered water service prior to connection to the Jackson Water Utility system. Conversion from a single metered service to a multiple metered service shall require an individual stop box or other approved outside shut off for each metered service to be provided by the customer prior to installation of the meter. (#95-17)
- B. The consumer shall protect the stop box in his terrace and shall keep the same free from dirt and other obstructions. The utility shall not be liable for failure to locate stop box and shut off water in case of a leak on the consumer's premises.

16.15 REPAIRS TO MAINS.

The utility reserves the right to shut off the water in the mains temporarily, to make repairs, alterations or add additions to the plant or system. When the circumstances will permit, the utility will give notification by newspaper publication or otherwise, of the discontinuance of the supply. No rebate or damages will be allowed to consumers for such temporary suspension of supply.

16.16 REPAIRS TO SERVICE.

The service pipe from the main through the curb stop will be maintained by the utility. The property owner will be responsible for damage to the curb stop and the service pipe to the point of use. Initial construction of the entire service pipe, including the curb stop is the responsibility of the property owner. If a customer property owner fails to repair a service pipe within a reasonable time following notification of needed repairs, the water will be shut off until repairs are completed. (#93-09)

16.17 THAWING FROZEN SERVICES.

Frozen services shall be thawed and the expense to the utility and property owner shall determine after examination of contributory fault or negligence by the customer or the utility such as reduction of grade, improperly installed customer service pipe, etc.

16.18 SETTLING MAIN OR SERVICE TRENCHES.

Trenches in streets shall be refilled with slurry as approved by the Jackson Water Utility.

16.19 HANDLING WATER MAINS AND SERVICE PIPES IN SEWER OR OTHER TRENCHES.

- A. Where excavating machines are used in digging sewers, all water mains shall be maintained at the expense of the contractor.

Contractors must ascertain for themselves the existence and location of all service pipes. Where they are removed, cut or damaged in the construction of a sewer, the contractor must at his own expense cause them to be replaced or repaired at once.

The contractor must not shut off the water service pipes from any consumer for a period exceeding six (6) hours.

- B. Nuisance Remarketing Costs:

1. Any person performing excavation work for the streets, highways, or right-of-ways under the Village of Jackson's jurisdiction, shall be liable for any and all unnecessary and unreasonable costs and expenses that the Village of Jackson incurs in complying with Wis. Stats 182.0175, in response to the person's multiple requests to relocate and remark municipal utility facilities at the same excavation site, thus causing "Nuisance Remarketing Costs".
2. Payment of such costs and expenses are due within thirty (30) days of the date of invoice, issued by the Village of Jackson, to the person responsible for the Nuisance Remarketing Costs. (#04-17)

16.20 PURITY OF SUPPLY NOT TO BE IMPAIRED BY CROSS CONNECTIONS.

Every person owning or occupying premises receiving Village water 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, waste or soil pipe may flow, be siphoned or pumped into the piping of the Village water system.

16.21 OPERATION OF VALVES AND HYDRANTS.

No person without authority of the Jackson Water Utility, shall operate any valve connected with the street or supply mains, or open fire hydrant connected with the distribution system. Owners or operators of motor vehicles will be held for the cost of repair of any hydrant damaged by being hit by a motor vehicle and the Water Department will not be responsible for any damage to the motor vehicle by reason of such accident.

16.22 RELIEF VALVES.

On all "closed system", (i.e.: systems having a check valve, pressure regulator, or reducing valve, water filter, or softener) an effective pressure relief valve shall be installed in accordance with the State Plumbing Code.

16.23 VACATION OF PREMISES.

When the premises are to be vacated, the Utility shall be notified, so that it may remove the meter and shut off the supply at the curb stop. The owner of the premises shall be liable for prosecution for any damage to the property of the Water Department by reason of failure to notify the Utility of a vacancy.

16.24 COMPULSORY CONNECTION.

- A. Any existing residential, commercial, industrial, or other property that has private water service at the time a public water main is installed abutting or through such property shall cease use of the private water service and be connected to the public water utility within one (1) year from the date public water service becomes available. The assessment therefore shall be established by the Utility Commission and the assessment and charges imposed by 16.03(4) of this Code shall be paid when the plumbing permit is issued. Properties that have a public water main abutting or through the property, but are not connected to the public water service, shall connect to the public water service within one (1) year from the date of the enactment of this Section.
- B. The Village Board may, in its sole discretion, grant a waiver of the compulsory connection requirements upon such conditions and limitations and for such durations as it determines are just and equitable to avoid hardship to abutting property owners. (#94-07)

16.25 WELL HEAD PROTECTION OVERLAY DISTRICT TO ESTABLISH LAND USE RESTRICTION.

I. STATEMENT OF PURPOSE AND AUTHORITY.

- (1.) The residents of the Village of Jackson depend exclusively on groundwater for a safe potable water supply. Certain land use practices and activities can seriously threaten or degrade groundwater quality. The purpose of this Well Head Protection Ordinance is to establish an overlay district which would contain land use regulations and restrictions to protect the Village of Jackson's municipal water supply and well fields from land uses which pose a threat to the quality and quantity of the groundwater being extracted, and to promote the public health, safety, and welfare of the Village of Jackson residents.
- (2.) Statutory authority of the Village of Jackson to enact these regulations was established by the Wisconsin Legislature in 1983, Wisconsin Act 410 (effective May 11, 1984) which specifically added groundwater protection to the statutory authorization for municipal planning and zoning and to protect public health, safety, and welfare; the 1986 amendments to the Federal Safe Drinking Water Act which mandated well head protection; and sections of Natural Resources Chapter NR 811 of the Wisconsin Administrative Code.

II. APPLICATION OF REGULATIONS.

- (1.) The regulations specified in this Well Head Protection Ordinance shall apply to all lands that lie within the five (5) year Time of Travel (TOT) of each Village of Jackson municipal well or a minimum of twelve hundred (1,200) feet within the corporate limits of the Village of Jackson and its extra-territorial area.
- (2.) No new use or change in use of any structure, land, or water shall be located, extended, converted or structurally altered and no development shall commence without full compliance with the terms of this Ordinance and other applicable regulations.
- (3.) No new potable water wells will be permitted in the Jackson Water Utility water service area if a municipal water main exists immediately adjacent or readily accessible to the property requesting the well.
- (4.) A non-potable well that is used to supply water solely to heat and/or cool a structure, (geothermal well) shall obtain a water well permit prior to starting construction. The geothermal well shall be a closed loop system type. The location of the proposed well shall be submitted with the permit application as well as accurately marking the location of the proposed well on the property. All well permit requests shall be submitted to the Director of Public Works. The Director of Public Works will review the application and may conduct an onsite inspection of the location of the proposed well.
- (5.) All non-potable water wells shall be installed on the highest point of the property and hydraulically up gradient from any known or potential pollution source.
- (6.) No portion of the non-potable well system shall be connected to the potable water system.

III. DEFINITIONS.

- (1.) Agricultural Uses. Agricultural use includes pesticide and/or fertilizer storage and use, septage and/or sludge spreading, animal waste land-spreading, animal waste facilities and animal confinement facilities related to the production of crops and use of livestock for commercial purposes.
- (2.) Aquifer. A saturated, permeable geologic formation that contains and will yield significant quantities of water.
- (3.) Cone of Depression. The area under which the water level in an aquifer is lowered by the pumping of a well.
- (4.) Facility. Something created, built, installed, or established to serve a particular purpose.

- (5.) Five-Year Time of Travel (TOT). The area upgradient of a pumping well from the outer boundary of which it is determined or estimated that groundwater and potential contaminants will take five (5) years to reach the pumping well.
- (6.) Geothermal Well. A well that supplies water solely to heat and/or cool a structure.
- (7.) Groundwater Divide. Ridge in the water table or potentiometric surface of an aquifer from which groundwater moves away in both directions. The line of highest hydraulic head in the water table or potentiometric surface.
- (8.) Nonconforming Use. An existing legal use of land, structure, building or accessory use, which is not in conformity with the provisions of this Ordinance.
- (9.) Non-Potable Water Well. A well used to supply water for irrigation, geothermal systems, hydrogeologic monitoring, dewatering, fire suppression, waterscapes, or any other purpose except for drinking or culinary purposes.
- (10.) Recharge Area. Area in which water reaches the zone of saturation by surface infiltration and encompasses all areas or features that supply groundwater recharge to a well. This area extends beyond the corporate limits of the Village of Jackson.
- (11.) Well Field. A piece of land used primarily for the purpose of locating wells to supply a municipal water system.
- (12.) Well Head. The specific location of the center of a municipal well (a hole or shaft dug or drilled to obtain water).
- (13.) Well Head Protection Overlay District. That area which lies within the boundary established by a twelve hundred (1,200) foot radius drawn from the center of each individual municipal well head. As additional information is available the Overlay District may be more precisely defined by the boundary of the recharge area of each individual municipal well. (#10-03)

IV. WELL HEAD SEPARATION DISTANCES.

- (1.) Well shall be adequately separated from potential sources of contamination.
- (2.) Unless a hydrogeologic investigation indicates lesser separation distances would provide adequate protection of a well from contamination, the following minimum horizontal separation distances between a well and the following land uses and facilities shall be provided:
 - (a.) Fifty (50) feet between a well and a storm sewer main.

- (b.) Two hundred (200) feet between a well and any sanitary sewer main, lift station, or single family residential fuel oil tank. A lesser separation distance may be allowed for sanitary sewer mains where the sanitary sewer main is constructed of water main materials and joints and pressure tested in a place to meet current AWWA 600 specifications. In no case may the separation distance between a well and a sanitary sewer main be less than fifty (50) feet.
- (c.) Four hundred (400) feet between a well and septic tank receiving less than eight thousand (8,000) gallons per day, a cemetery or a storm water drainage pond.
- (d.) Six hundred (600) feet between a well and any gasoline or fuel oil storage tank installation that has received written approval from the Department of Industry, Labor and Human Relations or its designated agent under s. ILHR 10.10.
- (e.) One thousand (1,000) feet between a well and land application of municipal, commercial or industrial waste water lagoons or storage structures; manure stacks or storage structures; and septic tanks or soil absorption units receiving eight thousand (8,000) gallons or more per day.
- (f.) Twelve hundred (1,200) feet between a well and any solid waste storage, transportation, transfer, incineration, air curtain destructor, processing, wood burning, one time disposal or small demolition facility; sanitary landfill; coal storage area; salt or deicing material storage area; gasoline or fuel oil storage tanks that have not received written approval as provided in (d.) above; bulk storage facilities; and pesticide or fertilizer handling or storage facilities.

V. PERMITTED AND PROHIBITED USES.

- (1.) The following underlying land uses are permitted within the Well Head Protection Overlay District as long as they are in compliance with ARTICLE IV.
 - (a.) Parks, provided there are no on-site waste disposal or fuel storage tank facilities associated with such use
 - (b.) Playgrounds
 - (c.) Wildlife Areas
 - (d.) Non-motorized trails, such as biking, skiing, nature and fitness trails
 - (e.) Residential Uses

- (f.) Agricultural Uses
 - (g.) Commercial and Industrial uses, except those listed as prohibited below
- (2.) The following underlying uses are prohibited within the Well Head Overlay District:
- (a.) Animal waste storage facilities
 - (b.) Asphalt products manufacturing
 - (c.) Bulk fertilizer and pesticide storage facilities
 - (d.) Bus or truck terminals
 - (e.) Dry cleaning facilities
 - (f.) Electroplating
 - (g.) Exterminating facilities
 - (h.) Garage and vehicular towing
 - (i.) Gas station
 - (j.) Hazardous and toxic materials storage and use
 - (k.) Hazardous and toxic waste facilities
 - (l.) Junkyards or auto salvage yards
 - (m.) Landfills or waste disposal facilities
 - (n.) Non municipal spray wastewater facilities
 - (o.) Non municipal wastewater treatment facilities
 - (p.) Paint and coating manufacturing
 - (q.) Printing shops
 - (r.) Public and municipal maintenance garages
 - (s.) Radioactive waste facilities
 - (t.) Salt storage
 - (u.) Septage and/or sludge spreading
 - (v.) Tire and battery service

- (w.) Underground storage tanks
- (x.) Vehicle repair and establishments, including body repair.
- (3.) Other Permitted Uses. Individuals and/or facilities may request the Village of Jackson to permit other land uses in the Well Head Protection Overlay District, which are not expressly prohibited herein.
 - (1.) All requests shall be made in writing to the Village of Jackson and shall include a report containing the following information at a minimum:
 - (a.) A listing of all hazardous, toxic, and other regulated material to assist in the determination of the threat posed by any potential contaminants entailed in the proposed land use by generation or disposal.
 - (b.) A map designating the location of existing wells and other public water supply systems and facilities in relation to the proposed land use, including significant geologic and natural features.
 - (c.) Whether public sanitary sewers are available or proposed at the location.
 - (d.) Septic tank location, size, and capacity, and/or sewage lift stations, force mains, and grease traps.
 - (e.) Expected types and amounts of discharge to sewers, to the ground and to surface waters.
 - (f.) A proposed emergency plan to detect and control hazardous materials leaks and spills, including but not limited to inspections, notification of official emergency containment and clean-up procedures.
 - (4.) Additional information may be requested by the Director of Public Works to include but not be limited to mapping of sensitive geologic or natural resources, a separate plan for storm water runoff control and management.
 - (5.) Fees shall be levied by the Village of Jackson against the property to cover the actual costs associated with the emergency response and mediation measures required by the Village in the event of contamination from the land use is permitted.

VI. NONCONFORMING USES.

- (1.) Insofar as standards in this Section are not inconsistent with provisions of s. 62.23(7)(h), Wisconsin Statutes and the Village of Jackson zoning code they shall apply to all nonconforming

uses. The existing legal use of the structure or building or its accessory use, which is not in conformity with the provisions of this Ordinance, may be continued subject to the following conditions:

- (a.) No modifications or additions to a nonconforming use shall be permitted unless they are made in conformity with the provisions of this Section. For the purposes of this Section, the words “modification” and “addition” shall include, but not be limited to, any alteration, addition, modification, rebuilding or replacement of any such existing structure or accessory use. Ordinary maintenance repairs are not considered structural repairs, modifications or additions; such ordinary maintenance repairs include internal and external painting, decorating, paneling and the replacement of doors, windows and other nonstructural components.
- (b.) If a nonconforming use is discontinued for twelve (12) consecutive months, any future use of the land, structure or building shall conform with the appropriate provisions of this Ordinance.

VII. REQUIREMENTS FOR EXISTING FACILITIES.

- (1.) Facilities shall provide copies of all Federal, State and local facility operation approvals or certificate and on-going environmental monitoring results to the Village of Jackson.
- (2.) Facilities shall provide additional environmental or safety structures/monitoring as deemed necessary by the Director of Public Works, which may include but not limited to storm water runoff management and monitoring.
- (3.) Facilities shall replace equipment or expand in a manner that improves the existing environmental and safety technologies already in existence.
- (4.) Facilities shall have the responsibility to devise and file with the Director of Public Works a plan for the immediate notification of the Village of Jackson in the event of an emergency.
- (5.) In the event an individual and/or facility causes the release of any contaminants which endangers the District, the Village shall be notified immediately, the activity causing said release shall immediately cease and a cleanup satisfactory to the Director of Public Works shall occur.

- (6.) The Facility shall be responsible for all costs of cleanup, including Village of Jackson costs including consultant fees at invoice amount, and administrative costs for oversight, review and documentation.

VIII. ENFORCEMENT AND PENALTIES.

- (1.) Violations: It shall be unlawful to construct or use any structure, land or water in violation of any of the provisions of this Ordinance. In case of violation, the Village of Jackson Board may institute appropriate actions or proceedings to enjoin a violation of this Ordinance.
- (2.) Penalties: Any person, firm, or corporation who fails to comply with the provisions of this Ordinance, shall, upon conviction pay a forfeiture of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) plus the cost of the prosecution for each violation. If in default of payment, such penalties shall be added to the Real Estate Property Tax bill as a lien against the property. Each day a violation exists or continues shall constitute a separate offense.

16.26 PENALTY.

Any person who violates any provision of this Chapter or any order, rule or regulation made hereunder shall be subject to penalty, as provided in 21.04 of this Municipal Code.