



## REGULAR VILLAGE BOARD MEETING

### MEETING NOTICE AND AGENDA

**Monday, February 15, 2021, 6:00 PM**

**Meeting will be held at: <https://www.gotomeet.me/wfbvillage/village-board>**

**Access Code: 348-527-221**

**Phone Number Log In: [+1 \(872\) 240-3212](tel:+18722403212)**

**I. Call to Order and Roll Call**

**Approved** **II. Consent Agenda – Upon request of any Trustee, any item may be removed from the Consent Agenda for separate consideration under General Business.**

1. Minutes of the regular meeting held on January 18, 2021.
2. Claims for January, 2021.
3. Investment Report for January, 2021.
4. Appointment of Tim Posnanski as an alternate member of the Board of Appeals for a term to expire in 2021.

**III. Report of Village Officers**

1. Village Attorney
2. Village Manager
3. Village President
4. Miscellaneous Trustee

**IV. Petitions and Communications – Members of the public wishing to communicate to the Village Board should email [manager@wfbvillage.org](mailto:manager@wfbvillage.org) at least 24 hours prior to the meeting with “Message to Village Board” in the subject line. Those messages will be provided to the Board Members.**

**V. General Business**

**Approved** 1. Discussion/action on Ordinance No. 1876 to revise the Stormwater Management Code.

**Approved** 2. Discussion/action on Ordinance No. 1877 to repeal and recreate the Water Code.

**Approved** 3. Discussion/action on Ordinance No. 1878 to create Chapter 20 of the Municipal Code (Plumbing Code).

Approved

4. Discussion/action on Ordinance No. 1879 to create Chapter 21 of the Municipal Code (Sanitary Sewer Code).

Approved

5. Discussion/action on Ordinance No. 1880 to restrict parking on the east side of the 4600 blocks of Larkin Street, Newhall Street and Bartlett Avenue.

VI Adjourn

Due to the COVID-19 pandemic, this meeting is being held via remote conference only.

Members of the media and public may attend by logging onto

<https://www.gotomeet.me/wfbvillage/village-board>. The access code is 348-527-221. The phone number to log in is +1 (872) 240-3212. All public participants will be muted during the meeting. Members of the public wishing to communicate to the Village Board should email [manager@wfbvillage.org](mailto:manager@wfbvillage.org) at least 24 hours prior to the meeting with "Message to Village Board" in the subject line. Those messages will be provided to the Board Members. Agendas and minutes are available on the Village website ([www.wfbvillage.org](http://www.wfbvillage.org))

**Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. Contact Village Hall at (414) 962-6690. It is possible that members of and possibly a quorum of members of other Boards, Commissions, or Committees of the Village including in particular the Board of Appeals may be in attendance in the above stated meeting to gather information; no action will be taken by any other Boards, Commissions, or Committees of the Village except by the Board, Commission, or Committee noticed above. Agendas and minutes are available on the Village website ([www.wfbvillage.org](http://www.wfbvillage.org))**

## REGULAR VILLAGE BOARD MEETING

A regular meeting of the Board of Trustees of Whitefish Bay was held via GoToMeeting on January 18, 2021

Pursuant to law, written notice of this meeting was given to the press and posted on the public bulletin boards.

### **I. Call to Order and Roll Call**

President Siegel called the meeting to order at 6:00 p.m.

Present: Trustees Buckley, Davis, Demet, Fuda, Saunders, Serebin, and President Siegel.

Also Present: Village Manager Paul Boening  
Village Attorney Chris Jaekels  
Police Chief Michael Young  
Assistant Village Manager Tim Blakeslee  
Finance Director/Village Clerk Jaimie Krueger  
Director of Public Works John Edlebeck  
Director of Building Services, Joel Oestreich  
Library Director, Nyama Reed  
Deputy Clerk Erin Granstrom

### **II. Consent Agenda**

It was moved by Trustee Saunders, seconded by Trustee Serebin, and unanimously carried by the Village Board to approve the consent agenda as presented.

1. Minutes of the regular meeting held on December 28, 2020.
2. Claims for December, 2020.
3. Investment Report for December, 2020.
4. Appointment of Andrew Hunt as a regular member of the Board of Appeals for a term to expire in 2021.
5. Appointment of Erin Jelenchick to the Library Board for a term to expire in 2021.
6. Resolution No. 3082 regarding World Migratory Bird Day.
7. Resolution No. 3083 Recognizing January 18, 2021 as Dr. Martin Luther King Jr. Day.

Trustee Saunders requested to read Resolution No. 3083 aloud in honor of Dr. Martin Luther King Jr. Day.

### **III. Report of Village Officers**

- 1. Village Manager—No Report**
- 2. Village Attorney—No Report**
- 3. Village President—No Report**
- 4. Miscellaneous Trustees—No Report**

### **IV. Petitions and Communications**

No petitions or communications were submitted.

### **V. General Business**

- 1. Discussion/action on Resolution No. 3084 – Authorizing the Issuance and Establishing Parameters for the Sale of Not to Exceed \$5,695,000 General Obligation Refunding Bonds, Series 2021A.**

Village Manager, Paul Boening, stated that the Ehlers serves as Financial Advisor to the Village and

periodically reviews our account to determine if there are opportunities for savings. Currently, there is an opportunity to refinance debt that was taken on in 2013. Dawn Gunderson Schiel from Ehlers stated that there were two possible areas to save at this time, however it was decided to only proceed with one option as the other provided a small savings and involves the North Shore Fire Department. Schiel stated that the interest rate on the 2013 debt is 2.25% to 3.5% which is callable starting on April 1, 2021. Timeline is slightly different than in the past as the next board meeting is on a Federal holiday so the financial markets would not be open. Proposed Resolution establishes the parameters for refinancing. Bids would be taken on February 17, 2021. Trustee Fuda inquired the interest rate would be locked in, Schiel stated that it would be on the day the bids are taken, February 17, 2021.

It was moved by Trustee Fuda, seconded by Trustee Buckley and unanimously carried that the Village Board adopt Resolution No. 3084 authorizing the Issuance and Establishing Parameters for the Sale of Not to Exceed \$5,695,000 General Obligation Refunding Bonds, Series 2021 A.

**2. Discussion/action regarding the Cahill Park Community Ice Rink and MOU between the Village of Whitefish Bay and the Milwaukee Winter Club.**

President Siegel stated that a large number of comments were received concerning this item, however, she will not be taking public comment. Trustee Serebin stated she is generally in support of the ice rink at Cahill. Serebin stated that the lights seem to brighter. Public Works Director John Edlebeck stated that they are the same wattage, however, over time they lose brightness so the new lights may appear brighter but are the same. Serebin mentioned that the lights have been on outside of the operational hours of the rink sometimes until 1:30 am. Serebin commented that there is noise from the Zamboni outside operational hours and that the chiller is louder than originally led to believe. Additionally Serebin stated that MWC has not adhered to the schedule, practicing until 9 am and adding hours at times. She inquired about open skate rules that prohibit figure skating, however, there is hockey going on involving pucks. Serebin mentioned that past discussions stated no games would not be allowed nevertheless games have taken place. The parking lot was blocked off for a long period of time and building materials were there for a long time and were not available to the high school for use. Parking lot usage needs to be discussed prior to tear down. Serebin mentioned that the fencing missing on the Marlborough Dr. side of the rink and the materials sitting out do not look nice and need to be addressed. Trustee Fuda stated that this has become a regional facility but is surrounded by residential houses and the Board has to keep those families as their first and foremost concern. Fuda believes a new structure is required where the Village is the controlling entity. Trustee Saunders supports the ice rink but also mentioned the noise from the chiller and the lights are on too late. Saunders commented on the damage to the tennis courts where there are no rubber mats. Saunders stated there is some confusion on how the public skate hours are listed with hockey listed during public skate hours. Saunders stated that there is a game scheduled for January 27, 2021 between USM and MUH and this is not what the rink was meant for. There will be large crowds and the game will not be down by the hours listed in MOU. Fuda mentioned he asked local high school if they were using the ice and was told they were shut out of the process but do have 1 game scheduled. Serebin asked if the Village approved third party use of the rink. Boening stated he has been in communication on hours but not on third party usage. Saunders stated he feels there should be a mask mandate at the rink. Trustee Davis stated noise and light pollution needs to be addressed. Trustee Buckley agreed lights and Zamboni issues need to adhere to hours set in MOU. Buckley stated that for the public health aspect there were only scrimmages discussed, not games, and that social distancing needs to be adhered to or policed. Trustee Demet reinforced the residents around the rink take priority. President Siegel is not in favor of mask mandate and thinks MWC should be treated the same as tennis in terms of when the lights are on.

Mike Lindemann, President of MWC, apologize for lights and noise. In terms of being on late, issues came up at setting up rink causing lights to be on due to emergencies requiring work outside of operational hours. Lindemann mentioned that the Village's contribution was fixed and throughout the process, additional costs arose that MWC covered. For games spectators are limited to 2 per skater, no loudspeaker is used, only whistles to reduce noise. Since one rink is shut down and there is reduced ice time at USM there was a need to schedule games at Cahill. During public skate hours the rink manager "plays to the crowd" as to if there is part of the rink for hockey. Rink 2 should be operational soon which would allow for separating hockey and public skate based on numbers.

Bob Peschel, rink manager, commented on issues resulting in lights being on late and stated they are working to adhere to MOU hours. Steps have been taken to lessen the noise from the chiller and the parking lot has been opened up for use by the high school. Peschel stated that adding the fencing on Marlborough will be investigated. He stated there are "no hockey" and blended hours during public skate

where pond hockey is played on part of rink. In terms of damage to the courts the preconstruction report will be turned over to the Village. A plan for the process of tear down will be starting next week.

Trustee Serebin stated that the Village Board should be present and part of discussions on issues. Trustee Fuda pointed out that a 7 pm game would not be over until 9:30 pm, which is outside of operational hours and Lindemann commented that the game would have to be adjusted. There was discussion on the number of spectators and the enforcement of the 2 spectators per skater rule. Trustee Saunders encouraged MWC to come the Village Board when there are any issues. Lindemann informed the Board that masks are required by WAHA during MWC hours and MWC cannot control this during public skate.

President Siegel proposed that the Board put together a letter for next steps and have a meeting later this week with MWC to work through issues raised.

Agenda items No. 3 through 6 were referred to the Public Works Committee by request of Trustee Davis and following consensus from the Board.

- 3. Discussion/action on Ordinance No. 1876 to revise the Stormwater Management Code.**
- 4. Discussion/action on Ordinance No. 1877 to repeal and recreate the Water Code.**
- 5. Discussion/action on Ordinance No. 1878 to create Chapter 20 of the Municipal Code (Plumbing Code).**
- 6. Discussion/action on Ordinance No. 1879 to create Chapter 21 of the Municipal Code (Sanitary Sewer Code).**

**VI. Adjourn**

There being no further business, it was moved by Trustee Fuda, seconded by Trustee Serebin, and unanimously carried by the Village Board to adjourn the meeting at 7:30 p.m.

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Erin Granstrom  
Deputy Clerk

Check Date	Bank	Check	Vendor	Vendor Name	Amount
<b>Bank Cking ASSOCIATED</b>					
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01/15/2021	Cking	59007	MISC01	MATTHEW & MOIRA MORAN	229.77

Check Date	Bank	Check	Vendor	Vendor Name	Amount
01/15/2021	Cking	59008	MISC01	MAXWELL GNIOT	728.38
01/15/2021	Cking	59009	101711	MEDIFY AIR	4,531.35
01/15/2021	Cking	59010	MISC01	MICHAEL GEORGETTA &	67.48
01/15/2021	Cking	59011	MISC01	MITHUN GAUR	46.45
01/15/2021	Cking	59012	101995	MONROE TRUCK EQUIPMENT, INC	1,816.00
01/15/2021	Cking	59013	MISC01	NATHAN ALBERTSON	95.46
01/15/2021	Cking	59014	MISC01	NICHOLAS & TAMARA KENT	75.38
01/15/2021	Cking	59015	MISC01	NICOLETTE & EDMUND CUNNINGHAM	143.93
01/15/2021	Cking	59016	102268	NORTH SHORE WATER COMMISSION	19,508.90
01/15/2021	Cking	59017	102292	OFFICE COPYING EQUIPMENT	104.47
01/15/2021	Cking	59018	MISC01	OKWUDILI NNAJI	141.74
01/15/2021	Cking	59019	MISC01	PATRICK & JENNIFER McGRAW	75.63
01/15/2021	Cking	59020	MISC01	PATRICK & LISA RIOS	264.04
01/15/2021	Cking	59021	MISC01	PAUL & JULIA MATTEK	125.30
01/15/2021	Cking	59022	MISC01	PETER & SARA ZWIEFELHOFER	202.84
01/15/2021	Cking	59023	MISC01	PETER CORFELD & LINDA KNUTSON	57.64
01/15/2021	Cking	59024	MISC01	PHIL CLAIBORNE & ANNETTE	456.04
01/15/2021	Cking	59025	102701	POM INCORPORATED	61.40
01/15/2021	Cking	59026	MISC01	RANDALL & NELL NASH	338.49
01/15/2021	Cking	59027	MISC01	REGGIE & SHANNON WEGNER	685.96
01/15/2021	Cking	59028	MISC01	REX ANDERECK	496.20
01/15/2021	Cking	59029	MISC01	ROBERT & DIANE SCHUMAKER	177.78
01/15/2021	Cking	59030	MISC01	ROBERT BURGESS	103.93
01/15/2021	Cking	59031	MISC01	ROBERT JR & ISONO BRADY	162.92
01/15/2021	Cking	59032	MISC01	ROBERT MUELLER & NICOLE SAWATZKE	159.94
01/15/2021	Cking	59033	MISC01	RONALD & MEREDITH SEARLES	143.27
01/15/2021	Cking	59034	MISC01	RUDY GUDGEON	132.54
01/15/2021	Cking	59035	MISC01	RYAN & LESLIE BEILMAN	136.14
01/15/2021	Cking	59036	MISC01	SARAH KNOX	78.72
01/15/2021	Cking	59037	MISC01	SCOTT & JESSICA WINTHEISER	125.18
01/15/2021	Cking	59038	MISC01	SCOTT CONNELL & KELLY ISHERWOOD	163.80
01/15/2021	Cking	59039	102009	SENSUS	1,949.94
01/15/2021	Cking	59040	MISC01	SHAD & KIMBERLY CHASE-HUBBARD	230.95
01/15/2021	Cking	59041	MISC01	SHAWN BARNES & KARI KIRCHGESSNER	204.65
01/15/2021	Cking	59042	MISC01	SILVER FOX PROPERTIES LLC	106.00
01/15/2021	Cking	59043	100402	SNAP-ON TOOLS	99.99
01/15/2021	Cking	59044	101711	SNOW PLOW SOLUTIONS	667.46
01/15/2021	Cking	59045	MISC01	STEPHANIE DOGGETT	54.98
01/15/2021	Cking	59046	MISC01	STEPHEN & JOANNE BOETTINGER	220.50
01/15/2021	Cking	59047	MISC01	STEPHEN MOEN	137.24
01/15/2021	Cking	59048	MISC01	STETTLER RANCH LLC	74.66
01/15/2021	Cking	59049	MISC01	STEVEN & XIU QIONG MARTINIE	205.32
01/15/2021	Cking	59050	MISC01	STUART MACKAY & MONICA CHARLESTON	1,806.63
01/15/2021	Cking	59051	MISC01	SUELYNN WEICKARDT	84.94
01/15/2021	Cking	59052	MISC01	THEODORE & LAUREN GRONSKI	269.51
01/15/2021	Cking	59053	MISC01	THOMAS DEVRIES & STEPHEN LAMPE	355.29
01/15/2021	Cking	59054	MISC01	THOMAS JOHNSTON & NICOLE KOWEL	129.85
01/15/2021	Cking	59055	MISC01	THOMAS NAPIERATA	8,523.81
01/15/2021	Cking	59056	MISC01	THOMAS NISWONGER &	123.41
01/15/2021	Cking	59057	MISC01	THOMAS REINERS	138.60
01/15/2021	Cking	59058	MISC01	THOMAS SCHEER	179.57
01/15/2021	Cking	59059	MISC01	THOMAS WILSON & SARAH	357.38
01/15/2021	Cking	59060	MISC01	TIMOTHY & MARJORIE EDWARDS	224.30
01/15/2021	Cking	59061	MISC01	TODD HOAGLAND	147.10
01/15/2021	Cking	59062	102246	TONY JOHNSON	142.43
01/15/2021	Cking	59063	101762	TRUCK COUNTRY OF WISCONSIN	237.68
01/15/2021	Cking	59064	0022	U.S. CELLULAR	485.33
01/15/2021	Cking	59065	0075	VILLAGE ACE HARDWARE	87.87
01/15/2021	Cking	59066	MISC01	WAYNE FRANK & MEGAN FRANK	2,547.60
01/15/2021	Cking	59067	0086	WEX BANK	3,065.29
01/15/2021	Cking	59068	101671	WIL-KIL PEST CONTROL	321.50
01/15/2021	Cking	59069	MISC01	WILLIAM & ANNA BERNFELD	93.85
01/15/2021	Cking	59070	MISC01	WILLIAM & GRETCHEN CARAHER	2,317.67
01/15/2021	Cking	59071	MISC01	WILLIAM & SARA FETTERLEY	220.66
01/15/2021	Cking	59072	MISC01	ZENGWANG XU & YUAN XU	117.86
Total For 01/15/2021:					86,858.67

01/21/2021	Cking	59075	MISC01	1186 GLENVIEW LLC	111.01
01/21/2021	Cking	59076	MISC01	AARON & LEAH LEWANDOSKI	14.41
01/21/2021	Cking	59077	MISC01	ABK JOINT REVOCABLE TRUST	229.31
01/21/2021	Cking	59078	MISC01	ALEXANDER & ELIZABETH GLOECKNER	197.38
01/21/2021	Cking	59079	102569	AMAZON CAPITAL SERVICES	202.93
01/21/2021	Cking	59080	MISC01	ANDREW & AMY McCABE	215.60
01/21/2021	Cking	59081	MISC01	ANDREW & CAITLIN KLISTER	143.11
01/21/2021	Cking	59082	MISC01	ANDREW & HANNAH NEFF	103.38
01/21/2021	Cking	59083	MISC01	ANDREW & JUDITH SHOR	381.79
01/21/2021	Cking	59084	MISC01	ANDREW & SARAH RICHTER	115.17
01/21/2021	Cking	59085	0005	ANDREW CHEVROLET	108.98
01/21/2021	Cking	59086	MISC01	ANDREW KUHNMUENCH & KENDRA THIEL	121.85
01/21/2021	Cking	59087	MISC01	ANTON & DIANNE ADAM	127.19

Check Date	Bank	Check	Vendor	Vendor Name	Amount
01/21/2021	Cking	59088	0006	ARMSTRONG CONSULTING GROUP INC	2,925.00
01/21/2021	Cking	59089	101804	AUTOMATIC BUILDING CONTROLS	645.00
01/21/2021	Cking	59090	MISC01	BARCLAY & KATHERINE TYLICKI	16.01
01/21/2021	Cking	59091	MISC01	BENJAMIN & DANIA HOLBROOK	389.62
01/21/2021	Cking	59092	102052	BIRCHWOOD	5,130.00
01/21/2021	Cking	59093	102662	BIRD CITY WISCONSIN	125.00
01/21/2021	Cking	59094	MISC01	BOYNTON PROPERTIES, LLC	62.26
01/21/2021	Cking	59095	MISC01	BRYAN ROLFS	215.94
01/21/2021	Cking	59096	MISC01	CHIEN-HUI & AMY YANG TRUST	205.82
01/21/2021	Cking	59097	0045	CONFLUENCE GRAPHICS	20.00
01/21/2021	Cking	59098	MISC01	COOPER & YVONNA COLLINS	130.21
01/21/2021	Cking	59099	MISC01	COREY & KELLI WERNLIND	126.15
01/21/2021	Cking	59100	MISC01	DAVID & KATHERINE UNRUH	98.85
01/21/2021	Cking	59101	MISC01	DAVID & LINDA SCHULZ	154.68
01/21/2021	Cking	59102	MISC01	DAVID WENZEL	312.67
01/21/2021	Cking	59103	0087	DILLETT MECHANICAL SERVICE	523.00
01/21/2021	Cking	59104	MISC01	DOUGLAS JOHNSON &	135.20
01/21/2021	Cking	59105	MISC01	ELIZABETH WATTS	56.93
01/21/2021	Cking	59106	MISC01	ERIC & STACY GRESNICK	810.06
01/21/2021	Cking	59107	MISC01	ERICA & KEITH TROWER	167.93
01/21/2021	Cking	59108	MISC01	GARY & ANNE MEYER	148.65
01/21/2021	Cking	59109	MISC01	GARY & MARY SCHWARTZ	861.05
01/21/2021	Cking	59110	MISC01	GERARD & KIMBERLY TIMMS TRUST	213.53
01/21/2021	Cking	59111	MISC01	GOVERNMENT BRANDS SHARED SERVICES	900.00
01/21/2021	Cking	59112	MISC01	GRAHAM & KAREN MASSETTI MORAN	144.34
01/21/2021	Cking	59113	MISC01	HENRY CLAY PROPERTIES LLC	199.59
01/21/2021	Cking	59114	MISC01	HILLARY ACLEDERON	96.07
01/21/2021	Cking	59115	MISC01	HONG MIN PARK	157.79
01/21/2021	Cking	59116	MISC01	IGOR & CATHERINE STEVIC	63.63
01/21/2021	Cking	59117	102642	INTERSTATE BILLING SERVICE, INC	1,108.80
01/21/2021	Cking	59118	MISC01	ISAAC SOTELO	107.30
01/21/2021	Cking	59119	MISC01	JAMES MATELSKI & DARYL SCHMIDT	79.95
01/21/2021	Cking	59120	MISC01	JASON & ANNE BURROUGHS	115.74
01/21/2021	Cking	59121	MISC01	JASON & NATASHA HERNANDEZ	234.75
01/21/2021	Cking	59122	MISC01	JASON SHARKEY	227.99
01/21/2021	Cking	59123	MISC01	JEFFREY & JENNIFER HOFFMAN-JONAS	251.90
01/21/2021	Cking	59124	MISC01	JOHN & BETSY FRUNCEK	210.14
01/21/2021	Cking	59125	MISC01	JOHN & KRISTEN FRANCESCHI	237.39
01/21/2021	Cking	59126	MISC01	JOHN & LARA TALBOT	218.11
01/21/2021	Cking	59127	MISC01	JOHN & RAQUEL MORT	151.73
01/21/2021	Cking	59128	MISC01	JOHN & SHARON CLAPPIER	104.31
01/21/2021	Cking	59129	MISC01	JOHN SCHAB	113.01
01/21/2021	Cking	59130	MISC01	JOHN SCHMID &	184.69
01/21/2021	Cking	59131	MISC01	JON PHILLIPS	142.75
01/21/2021	Cking	59132	MISC01	JOSELITO & ANNETTE GARCIA	175.22
01/21/2021	Cking	59133	MISC01	JOSEPH LIEBETRAU &	286.90
01/21/2021	Cking	59134	MISC01	JOSEPH & LAUREN PAJOT	151.05
01/21/2021	Cking	59135	MISC01	JOSHUA & WENDY WELSH	181.36
01/21/2021	Cking	59136	MISC01	JULIE WILSON	82.72
01/21/2021	Cking	59137	MISC01	KATHERINE HABERMAN	95.62
01/21/2021	Cking	59138	MISC01	KEEGAN & JENNIFER PRENDERGAST	138.62
01/21/2021	Cking	59139	MISC01	KEVIN & KRISTEN LINZMEIER	190.78
01/21/2021	Cking	59140	MISC01	KEVIN GAHAGAN	100.77
01/21/2021	Cking	59141	MISC01	KIMBERLY COFFMAN	82.51
01/21/2021	Cking	59142	0048	LAKESIDE INTERNATIONAL TRUCK	6,393.19
01/21/2021	Cking	59143	MISC01	LINDSEY & ADAM KING	263.76
01/21/2021	Cking	59144	MISC01	MARY ANTILA	74.79
01/21/2021	Cking	59145	MISC01	MARY DEVITT	85.32
01/21/2021	Cking	59146	MISC01	MARY KATHLEEN SMITH	43.06
01/21/2021	Cking	59147	MISC01	MARYANN GILLIGAN	128.40
01/21/2021	Cking	59148	MISC01	MASKAN PROPERTIES, LLC	76.78
01/21/2021	Cking	59149	101711	MATT MAZUR	150.00
01/21/2021	Cking	59150	MISC01	MATTHEW & SHERI HABERKORN	124.55
01/21/2021	Cking	59151	MISC01	MATTHEW SANCHEZ &	60.19
01/21/2021	Cking	59152	MISC01	MAURA MYLES	64.48
01/21/2021	Cking	59153	MISC01	MICHAEL & JEAN PLUM	102.00
01/21/2021	Cking	59154	MISC01	MICHAEL & JUDITH HAVICE	9.00
01/21/2021	Cking	59155	0057	MILWAUKEE COUNTY FED. LIBRARY SYST.	373.84
01/21/2021	Cking	59156	0061	MINNESOTA LIFE INSURANCE CO.	1,645.31
01/21/2021	Cking	59157	MISC01	MOLLY HARE	60.75
01/21/2021	Cking	59158	101995	MONROE TRUCK EQUIPMENT, INC	963.60
01/21/2021	Cking	59159	MISC01	NATALSHA LIBRIZZI	133.82
01/21/2021	Cking	59160	MISC01	NATHAN WARREN	84.94
01/21/2021	Cking	59161	101776	NEHER ELECTRIC SUPPLY, INC.	57.25
01/21/2021	Cking	59162	MISC01	PATRICIA GERAGHTY	158.73
01/21/2021	Cking	59163	MISC01	PATRICK & JENNIFER BURNS	73.26
01/21/2021	Cking	59164	102024	PAUL WITTE	150.00
01/21/2021	Cking	59165	MISC01	PHILIP & INNA TURNER	253.67
01/21/2021	Cking	59166	MISC01	PHILLIP SAUER	128.86
01/21/2021	Cking	59167	102701	POM INCORPORATED	688.03
01/21/2021	Cking	59168	101760	PURCHASE POWER	802.99

Check Date	Bank	Check	Vendor	Vendor Name	Amount
01/21/2021	Cking	59169	101891	QUILL CORPORATION	14.99
01/21/2021	Cking	59170	MISC01	RANDALL RACH	130.79
01/21/2021	Cking	59171	MISC01	ROBERT & JULIE ANTHONY	255.61
01/21/2021	Cking	59172	MISC01	SARAH & JOHN DZIEDZIC	271.01
01/21/2021	Cking	59173	MISC01	SETH ZIOTOWA & SARAH RADKE	157.17
01/21/2021	Cking	59174	MISC01	SHAWN & SUSAN PUECHNER	836.27
01/21/2021	Cking	59175	MISC01	STACY BROCK & IAN MCLELLAN	186.66
01/21/2021	Cking	59176	101931	STAPLES ADVANTAGE	275.91
01/21/2021	Cking	59177	MISC01	STEPHEN & SHEILA ANDERSON	1,620.21
01/21/2021	Cking	59178	MISC01	STUART & MARTHA FLECK	15.78
01/21/2021	Cking	59179	MISC01	TERRY LEHMAN & ANDREA KELLER	136.86
01/21/2021	Cking	59180	102097	TIME WARNER CABLE	179.96
01/21/2021	Cking	59181	MISC01	TIMOTHY & KATINA AUSTIN	223.56
01/21/2021	Cking	59182	MISC01	TIMOTHY & LAURIE COTTER	58.55
01/21/2021	Cking	59183	MISC01	TYLER PINTER	537.22
01/21/2021	Cking	59184	101908	USA BLUEBOOK	197.76
01/21/2021	Cking	59185	0075	VILLAGE ACE HARDWARE	184.40
01/21/2021	Cking	59186	102116	VILLAGE OUTDOOR LIVING	5.85
01/21/2021	Cking	59187	102031	WCMA	239.86
01/21/2021	Cking	59188	101652	WESTHOVEN WORKS, INC.	553.00
01/21/2021	Cking	59189	101711	WHITEFISH BAY SCHOOL DISTRICT	138.84
01/21/2021	Cking	59190	102361	WI LIBRARY ASSOCIATION	129.00
01/21/2021	Cking	59191	MISC01	WILLIAM & ANDREA HARRISON	206.12
01/21/2021	Cking	59192	MISC01	ZEYUN YU & XIAOYUN LU	103.40
01/21/2021	Cking	59193	102680	ZIPS AW DIRECT	982.99

Total For 01/21/2021:

42,873.54

01/29/2021	Cking	59198	102542	ABC LOCK & KEY INC	59.80
01/29/2021	Cking	59199	102497	ACTION DIGITAL DOCUMENT SOLUTIONS	1,513.05
01/29/2021	Cking	59200	MISC01	ADAM DOU-CHUAN JEN	101.39
01/29/2021	Cking	59201	101849	ADAM WARSH	74.33
01/29/2021	Cking	59202	MISC01	ADANNA AMANZE	303.65
01/29/2021	Cking	59203	MISC01	ADRIANA KELLY	149.35
01/29/2021	Cking	59204	102458	ADVANCE FINISHING	250.00
01/29/2021	Cking	59205	0003	AFLAC	460.72
01/29/2021	Cking	59206	MISC01	AL & LORRAINE GHORBANPOOR	178.09
01/29/2021	Cking	59207	MISC01	ALAN POLSEAN	63.74
01/29/2021	Cking	59208	MISC01	ALLISON & MARC BENNETT	108.50
01/29/2021	Cking	59209	102569	AMAZON CAPITAL SERVICES	682.29
01/29/2021	Cking	59210	101795	AMERICAN INDUSTRIAL MEDICAL	685.00
01/29/2021	Cking	59211	102301	AMERICAN LIBRARY ASSOCIATION	310.00
01/29/2021	Cking	59212	MISC01	ANA DE LA PENA	161.99
01/29/2021	Cking	59213	MISC01	ANDREW & DIANE NOVOTNY	135.77
01/29/2021	Cking	59214	MISC01	ANDREW & ELIZABETH WITTMANN	209.27
01/29/2021	Cking	59215	MISC01	ANDREW & JESSICA LELINSKI	164.30
01/29/2021	Cking	59216	MISC01	ANDREW & KIMBERLY SCHUTZ	173.53
01/29/2021	Cking	59217	MISC01	ANOOP & SUZANNE SINGH	236.45
01/29/2021	Cking	59218	MISC01	ANOOP PRAKASH	267.69
01/29/2021	Cking	59219	MISC01	ANTHONY & KATHLEEN REID	170.47
01/29/2021	Cking	59220	MISC01	ANTHONY NITZ & EMMA WEBER	289.64
01/29/2021	Cking	59221	102267	ARBOR GREEN, INC	2,180.59
01/29/2021	Cking	59222	MISC01	ARI KASPER & KATHRYN LOMASNEY	182.30
01/29/2021	Cking	59223	MISC01	ARKADIY & ELLEN POPOV	90.01
01/29/2021	Cking	59224	0006	ARMSTRONG CONSULTING GROUP INC	21,548.00
01/29/2021	Cking	59225	102641	ASCENSION MEDICAL GROUP	418.00
01/29/2021	Cking	59226	102580	AXON ENTERPRISE, INC.	6,440.00
01/29/2021	Cking	59227	MISC01	B. DAVID & JANET COLLIER TRUST	129.54
01/29/2021	Cking	59228	0012	BATTERIES PLUS LLC	521.65
01/29/2021	Cking	59229	101837	BAYCOM	159.55
01/29/2021	Cking	59230	MISC01	BENJAMIN & LECIA JOHNSON	236.84
01/29/2021	Cking	59231	MISC01	BENJAMIN & MELISSA HIGH	114.11
01/29/2021	Cking	59232	MISC01	BENJAMIN BOROWICZ	87.15
01/29/2021	Cking	59233	102543	BLACKSTONE PUBLISHING	40.00
01/29/2021	Cking	59234	MISC01	BRADLEY & KATHERINE SCHROEDER	146.01
01/29/2021	Cking	59235	MISC01	BRADLEY & SUSAN ABELT	77.88
01/29/2021	Cking	59236	MISC01	BRADLEY BREWER & BRIGID COSTELLO	178.49
01/29/2021	Cking	59237	MISC01	BRADLEY JAMES TETZLAFF	73.09
01/29/2021	Cking	59238	MISC01	BRANDON & JENNIFER KRAJEWSKI	268.80
01/29/2021	Cking	59239	MISC01	BRANDON & MICHELLE DUEBNER	74.45
01/29/2021	Cking	59240	MISC01	BRIAN & RENEE TAZALLA	201.78
01/29/2021	Cking	59241	MISC01	BRIAN PERSZYK & MOLLY O'BRIEN	85.94
01/29/2021	Cking	59242	MISC01	BRIDGETTE KEATING	171.74
01/29/2021	Cking	59243	101655	BS&A SOFTWARE	12,218.00
01/29/2021	Cking	59244	MISC01	BURTON JAMES METZ	159.50
01/29/2021	Cking	59245	102591	BYTE STUDIOS, INC.	540.00
01/29/2021	Cking	59246	MISC01	CAROLYN KOTT WASHBURN	47.80
01/29/2021	Cking	59247	101875	CASPER'S TRUCK EQUIPMENT	42,060.02
01/29/2021	Cking	59248	101678	CENTURY SPRINGS	212.55
01/29/2021	Cking	59249	101805	CHICAGO TRIBUNE	86.00
01/29/2021	Cking	59250	102417	CHRIS PAAPE	60.00

Check Date	Bank	Check	Vendor	Vendor Name	Amount
01/29/2021	Cking	59251	MISC01	CHRISTOPHER & ANNE DESMIDT	50.08
01/29/2021	Cking	59252	MISC01	CHRISTOPHER & EMILY BYRNES	179.42
01/29/2021	Cking	59253	MISC01	CHRISTOPHER & JILL HARTLEY	581.80
01/29/2021	Cking	59254	MISC01	CHRISTOPHER & JOAN KING	134.04
01/29/2021	Cking	59255	MISC01	CHRISTOPHER BARTOLONE	130.36
01/29/2021	Cking	59256	MISC01	CHRISTOPHER LUDWIG	339.70
01/29/2021	Cking	59257	102359	CIVIC PLUS	5,190.29
01/29/2021	Cking	59258	MISC01	CLAY WASIELEWSKI & LISA NESPOLI	50.84
01/29/2021	Cking	59259	MISC01	COLIN SHERRY	104.66
01/29/2021	Cking	59260	102673	CONCENTRA HEALTH SERVICES	120.00
01/29/2021	Cking	59261	0045	CONFLUENCE GRAPHICS	20.00
01/29/2021	Cking	59262	MISC01	CORI & TRAVIS DELUCENAY	204.34
01/29/2021	Cking	59263	MISC01	COURTNEY THORPE	114.75
01/29/2021	Cking	59264	MISC01	CRAIG & JUDITH PAPAJOHN	81.56
01/29/2021	Cking	59265	MISC01	DANIEL & ANGELA HERON	378.59
01/29/2021	Cking	59266	MISC01	DANIEL & BILJANA PETROVSKA	44.67
01/29/2021	Cking	59267	MISC01	DANIEL & SARAH NELSON	332.23
01/29/2021	Cking	59268	MISC01	DANIEL & WENDY GODDEN	159.06
01/29/2021	Cking	59269	101926	DANIEL COURTIER	90.00
01/29/2021	Cking	59270	102023	DANIEL MARKEY	180.00
01/29/2021	Cking	59271	MISC01	DANIEL MEYER	8.00
01/29/2021	Cking	59272	MISC01	DARREN & AMY GOLDSTEIN	409.05
01/29/2021	Cking	59273	MISC01	DARRYL & TERRI GROOMS	104.35
01/29/2021	Cking	59274	MISC01	DAVID & CARRIE NEUMANN	132.41
01/29/2021	Cking	59275	MISC01	DAVID & LILA HILLMAN	106.25
01/29/2021	Cking	59276	102079	DAVID HRYNIEWICKI	120.00
01/29/2021	Cking	59277	0081	DAVIS & KUELTHAU, S.C.	22,469.00
01/29/2021	Cking	59278	102198	DELTA DENTAL OF WISCONSIN	6,181.58
01/29/2021	Cking	59279	MISC01	DEREK & CHARLOTTE SUPPLE	217.40
01/29/2021	Cking	59280	MISC01	DIANE SCHADEWALD	111.46
01/29/2021	Cking	59281	MISC01	DILLON & ALLISON DURNFORD	225.75
01/29/2021	Cking	59282	102191	DON NARDI	75.00
01/29/2021	Cking	59283	MISC01	DOUGLAS & EVE FICK	89.32
01/29/2021	Cking	59284	MISC01	DWAYNE FULMER	115.25
01/29/2021	Cking	59285	MISC01	EASTMORE REAL ESTATE	712.35
01/29/2021	Cking	59286	MISC01	EMILY STRICKLER	81.21
01/29/2021	Cking	59287	MISC01	ERIC & KELLY AYALA	128.78
01/29/2021	Cking	59288	MISC01	ERIC & MARTHA HAM	487.84
01/29/2021	Cking	59289	MISC01	ERIK & DAISY PETERSON	155.62
01/29/2021	Cking	59290	102197	EWALD'S HARTFORD FORD LLC	33,026.50
01/29/2021	Cking	59291	0032	FASTSIGNS OF GLENDALE	250.00
01/29/2021	Cking	59292	101676	GALE	160.77
01/29/2021	Cking	59293	MISC01	GARY & ELIZABETH GROSSKREUZ	85.57
01/29/2021	Cking	59294	MISC01	GEORGE & SUSAN MURPHY	142.49
01/29/2021	Cking	59295	MISC01	GIACOMO FALLUCCA	89.08
01/29/2021	Cking	59296	MISC01	GORDON SCHWARTZ	39.55
01/29/2021	Cking	59297	MISC01	GRANT BURRALL ATTY	284.93
01/29/2021	Cking	59298	MISC01	GREGORY & LAURA ROEHL	223.06
01/29/2021	Cking	59299	MISC01	GREGORY & TAMMY HERPEL	759.88
01/29/2021	Cking	59300	MISC01	GREGORY SPURRY & NANCY GREUEL	80.36
01/29/2021	Cking	59301	MISC01	GUY FIORITA	182.15
01/29/2021	Cking	59302	MISC01	GUY & MICHELLE SMITH	108.42
01/29/2021	Cking	59303	0042	HEISER AUTOMOTIVE GROUP	186.24
01/29/2021	Cking	59304	MISC01	J CHRISTOPHER TINGLEY	102.53
01/29/2021	Cking	59305	102659	JACOBUS ENERGY	2,165.94
01/29/2021	Cking	59306	MISC01	JAMES & GINA MADLOM	130.07
01/29/2021	Cking	59307	MISC01	JAMES & JESSICA BITTER	65.56
01/29/2021	Cking	59308	MISC01	JAMES & NANCY POMES	125.95
01/29/2021	Cking	59309	MISC01	JAMES & SHAUNA BAYER	84.65
01/29/2021	Cking	59310	MISC01	JAMES & TINA DESING	112.09
01/29/2021	Cking	59311	MISC01	JAMES & CAROLINE WISCHER	46.53
01/29/2021	Cking	59312	MISC01	JAN MARIE WILLMAN	469.27
01/29/2021	Cking	59313	MISC01	JANE ZEHREN	89.30
01/29/2021	Cking	59314	MISC01	JASON HINZ & JANET FRENE	128.03
01/29/2021	Cking	59315	MISC01	JAY & SANDRA KUEHN	100.07
01/29/2021	Cking	59316	MISC01	JAYNE TOTTE	644.30
01/29/2021	Cking	59317	MISC01	JEREMIAH & NICKIE BASS	369.00
01/29/2021	Cking	59318	102648	JESSE BARKOW	90.00
01/29/2021	Cking	59319	102311	JFTCO, INC	329.04
01/29/2021	Cking	59320	MISC01	JIMIN CHOLEWA	7.30
01/29/2021	Cking	59321	MISC01	JOHN & SHANNON MATHIAS	114.56
01/29/2021	Cking	59322	MISC01	JOHN BESTA	17.11
01/29/2021	Cking	59323	MISC01	JOHN CATALANO	115.66
01/29/2021	Cking	59324	101872	JOHN M. ELLSWORTH CO., INC.	106.77
01/29/2021	Cking	59325	MISC01	JOHN OBUDZINSKI	198.20
01/29/2021	Cking	59326	MISC01	JONATHAN & KATIE CIZAUSKAS	121.18
01/29/2021	Cking	59327	MISC01	JONATHAN & ROUMIANA KOKOTT	169.95
01/29/2021	Cking	59328	MISC01	JONATHAN ARNOLD	135.82
01/29/2021	Cking	59329	MISC01	JONATHAN GLOWACKI	184.27
01/29/2021	Cking	59330	102752	JORDAN MURPHY	170.73
01/29/2021	Cking	59331	MISC01	JOSEPH & ANDREA PROITE	1,512.34

Check Date	Bank	Check	Vendor	Vendor Name	Amount
01/29/2021	Cking	59332	MISC01	JOSEPH & MARIA MATTERA	97.34
01/29/2021	Cking	59333	101890	JOSEPH MCLEOD	120.00
01/29/2021	Cking	59334	MISC01	JOSEPH MELTON	8.36
01/29/2021	Cking	59335	MISC01	JOSHUA & JENNIFER PATRICK	191.21
01/29/2021	Cking	59336	MISC01	JUDY LADE	6,857.40
01/29/2021	Cking	59337	MISC01	JULIE BOWLES	63.38
01/29/2021	Cking	59338	MISC01	JUSTIN & KATY SOMMER	147.76
01/29/2021	Cking	59339	MISC01	KAREN LANGE	92.20
01/29/2021	Cking	59340	MISC01	KARINA & MATTHEW EHRESMAN	65.13
01/29/2021	Cking	59341	MISC01	KARLA KUMPEL	393.18
01/29/2021	Cking	59342	MISC01	KATHERINE CALLAHAN & JOSHUA ULLER	222.41
01/29/2021	Cking	59343	MISC01	KATHERINE TILLMAR	68.76
01/29/2021	Cking	59344	MISC01	KATHRYN PERRY	143.26
01/29/2021	Cking	59345	MISC01	KELLY & ELI MILLER	227.20
01/29/2021	Cking	59346	MISC01	KENNETH & SHARLEEN HARRIS	99.57
01/29/2021	Cking	59347	MISC01	KEVIN & ALISON KRIEGEL	149.65
01/29/2021	Cking	59348	MISC01	KEVIN & ALLISON SCHWAB	123.35
01/29/2021	Cking	59349	MISC01	KEVIN & CASSANDRA MC CAULEY	949.80
01/29/2021	Cking	59350	MISC01	KEVIN & RACHEL PINGS	91.58
01/29/2021	Cking	59351	MISC01	KEVIN BOYD &	398.64
01/29/2021	Cking	59352	MISC01	KIMBERLY SPAUDE	1,007.82
01/29/2021	Cking	59353	MISC01	KORY & CHRISTINA WEGNER	6,805.32
01/29/2021	Cking	59354	MISC01	KRISTEN RYMER	468.07
01/29/2021	Cking	59355	MISC01	KYLE & JOY EBERSOLE	144.63
01/29/2021	Cking	59356	MISC01	KYLE & KATHRYN DAVIS	161.31
01/29/2021	Cking	59357	0048	LAKESIDE INTERNATIONAL TRUCK	264.16
01/29/2021	Cking	59358	101711	LAURA GLEASON	60.00
01/29/2021	Cking	59359	MISC01	LESTER & REGINA TSENG	105.67
01/29/2021	Cking	59360	0105	LEXISNEXIS RISK SOLUTIONS	150.00
01/29/2021	Cking	59361	0050	LINCOLN CONTRACTORS SUPPLY	102.35
01/29/2021	Cking	59362	MISC01	LISA BLOCK	97.15
01/29/2021	Cking	59363	MISC01	LISA KUZNICKI TRUST	592.70
01/29/2021	Cking	59364	102710	MACQUEEN EQUIPMENT	416.91
01/29/2021	Cking	59365	0054	MADACC	6.75
01/29/2021	Cking	59366	MISC01	MARK & MARIA BLAKE	347.79
01/29/2021	Cking	59367	MISC01	MARTIN & ANIKA NELSON	139.41
01/29/2021	Cking	59368	MISC01	MARY ANN MILLER	110.49
01/29/2021	Cking	59369	MISC01	MATT MAZUR	118.32
01/29/2021	Cking	59370	MISC01	MATTHEW & CATHERINE WESSEL	215.41
01/29/2021	Cking	59371	MISC01	MATTHEW & MAUREEN GOLDBLATT	3,941.85
01/29/2021	Cking	59372	MISC01	MATTHEW BARNETT PITTON	91.87
01/29/2021	Cking	59373	MISC01	MATTHEW COLLINS	218.31
01/29/2021	Cking	59374	MISC01	MATTHEW KAMINECKI	94.82
01/29/2021	Cking	59375	MISC01	MATTHEW KRUEGER	90.06
01/29/2021	Cking	59376	MISC01	MATTHEW SIMS & ELIZABETH FERBER	207.79
01/29/2021	Cking	59377	MISC01	MAURITA JASPER	108.12
01/29/2021	Cking	59378	MISC01	MICHAEL & DIANE SPEICH	157.55
01/29/2021	Cking	59379	MISC01	MICHAEL & DIANNE BAHR	62.12
01/29/2021	Cking	59380	MISC01	MICHAEL & KATHERINE RATAJCZYK	50.71
01/29/2021	Cking	59381	MISC01	MICHAEL & PAULA OSTERHOUT	18,715.97
01/29/2021	Cking	59382	MISC01	MICHAEL KENNEDY II	184.83
01/29/2021	Cking	59383	MISC01	MICHAEL KINATEDER	23.61
01/29/2021	Cking	59384	MISC01	MICHAEL VITUCCI TRUST	225.27
01/29/2021	Cking	59385	MISC01	MICHELE TATE	79.84
01/29/2021	Cking	59386	MISC01	NANCY JEAN PIEPER	33.01
01/29/2021	Cking	59387	MISC01	NATALIE ANNETTE THOMAS	57.62
01/29/2021	Cking	59388	101776	NEHER ELECTRIC SUPPLY, INC.	1,059.95
01/29/2021	Cking	59389	MISC01	NEIL BUBKE	69.35
01/29/2021	Cking	59390	MISC01	NELSON & JENNIFER MARTELL	163.40
01/29/2021	Cking	59391	MISC01	NICHOLAS & REBECCA WEIDE	36.92
01/29/2021	Cking	59392	MISC01	NICHOLAS BUECHEL & KAVITA NAIK	254.19
01/29/2021	Cking	59393	MISC01	NIKOLA CUZOVIC	152.64
01/29/2021	Cking	59394	MISC01	PATRICK KUROWSKI	154.05
01/29/2021	Cking	59395	MISC01	PATRICK MASON & STEPHANIE HECHT	89.26
01/29/2021	Cking	59396	102049	PATRICK MCCARTHY	1,150.00
01/29/2021	Cking	59397	101639	PATRICK MURPHY	30.00
01/29/2021	Cking	59398	102727	PATRICK SPETH	810.00
01/29/2021	Cking	59399	MISC01	PAUL & LINDA WILLIAMS	1,158.61
01/29/2021	Cking	59400	MISC01	PAUL & MICHELLE GRAY BERNHARDT	260.22
01/29/2021	Cking	59401	MISC01	PAUL & RENEE KNAPP	443.37
01/29/2021	Cking	59402	MISC01	PAUL DARKO & CORRINE BULTMAN	146.75
01/29/2021	Cking	59403	102024	PAUL WITTE	60.00
01/29/2021	Cking	59404	102625	PERKINS OIL	2,701.10
01/29/2021	Cking	59405	MISC01	PETER & JILL HOLBROOK	332.52
01/29/2021	Cking	59406	MISC01	PETER ENGEL & EMILY WARE	11,304.86
01/29/2021	Cking	59407	MISC01	PHILLIP & CHASE PARDA	82.21
01/29/2021	Cking	59408	102701	POM INCORPORATED	83.15
01/29/2021	Cking	59409	101891	QUILL CORPORATION	115.95
01/29/2021	Cking	59410	101918	R.A. SMITH NATIONAL	4,473.42
01/29/2021	Cking	59411	MISC01	RANDALL & LYNN SPRENGER	53.26
01/29/2021	Cking	59412	MISC01	RICHARD & LORA NIEMOELLER	124.55

Check Date	Bank	Check	Vendor	Vendor Name	Amount
01/29/2021	Cking	59413	MISC01	RICHARD CIARDO	137.83
01/29/2021	Cking	59414	MISC01	RICHARD LUTZ & SUSAN OBST	1,361.47
01/29/2021	Cking	59415	MISC01	ROB & RACHELBRUGMAN	91.25
01/29/2021	Cking	59416	102678	ROBB GREGG	375.00
01/29/2021	Cking	59417	MISC01	ROBIN COFFMAN	753.74
01/29/2021	Cking	59418	MISC01	RONALD & DENISE SKOW	121.44
01/29/2021	Cking	59419	MISC01	RONALD & ELLEN MUTCHER	77.13
01/29/2021	Cking	59420	MISC01	RYAN & JENNIFER LIVINGSTON	153.79
01/29/2021	Cking	59421	MISC01	SALVATORE & KATHRYN AMATO	168.70
01/29/2021	Cking	59422	MISC01	SANDRA SALTZSTEIN & DARRIN LILE	84.51
01/29/2021	Cking	59423	MISC01	SARAH HANNEMAN	80.99
01/29/2021	Cking	59424	0069	SCHOOL DISTRICT OF WFB	69.42
01/29/2021	Cking	59425	MISC01	SCOT COHUT & MARIE LIPAN	9,321.12
01/29/2021	Cking	59426	MISC01	SCOTT & HALEY SAMUELSON	106.27
01/29/2021	Cking	59427	MISC01	SCOTT & KAREN KRUEGER	107.74
01/29/2021	Cking	59428	MISC01	SCOTT & TERESA EVANS	93.97
01/29/2021	Cking	59429	MISC01	SCOTT CONNELL & KELLY ISHERWOOD	9,287.28
01/29/2021	Cking	59430	MISC01	SCOTT DONOHUE	119.32
01/29/2021	Cking	59431	MISC01	SEAN & KRISTINE DUNPHY	723.07
01/29/2021	Cking	59432	MISC01	SEAN & SHAYNA MALANEY	952.45
01/29/2021	Cking	59433	MISC01	SHANNON DALY & BRADLEY HOFFMANN	58.18
01/29/2021	Cking	59434	MISC01	SHERIE LIBRIZZI	121.52
01/29/2021	Cking	59435	102518	SHRED-IT USA	103.91
01/29/2021	Cking	59436	102481	SMART INTERACTIVE MEDIA, LLC	250.00
01/29/2021	Cking	59437	100402	SNAP-ON TOOLS	30.50
01/29/2021	Cking	59438	101931	STAPLES ADVANTAGE	146.97
01/29/2021	Cking	59439	MISC01	STEPHEN & APRIL HATTON	172.85
01/29/2021	Cking	59440	MISC01	STEPHEN & THERESE LUND	161.39
01/29/2021	Cking	59441	MISC01	STEVEN & LINDA ST ONGE	66.75
01/29/2021	Cking	59442	102001	STRESSCRETE INC	2,986.00
01/29/2021	Cking	59443	MISC01	SUSAN GRUBER	86.85
01/29/2021	Cking	59444	0074	TAPCO	178.65
01/29/2021	Cking	59445	101634	THE OFFICE TECHNOLOGY GROUP	135.66
01/29/2021	Cking	59446	101634	THE OFFICE TECHNOLOGY GROUP	154.96
01/29/2021	Cking	59447	102640	THERESA HOGE	60.00
01/29/2021	Cking	59448	MISC01	THOMAS & AMY DAMON	264.45
01/29/2021	Cking	59449	MISC01	THOMAS & ANN KOWALICZKO	101.12
01/29/2021	Cking	59450	MISC01	THOMAS & KAREN DAYKIN	147.61
01/29/2021	Cking	59451	MISC01	THOMAS & KATHLEEN COMISKEY	248.45
01/29/2021	Cking	59452	MISC01	THOMAS & MAGDALENE RAVEN	7,536.56
01/29/2021	Cking	59453	MISC01	THOMAS & NANCY WOLF	110.67
01/29/2021	Cking	59454	MISC01	THOMAS & NAOMI LASKY	216.03
01/29/2021	Cking	59455	MISC01	THOMAS NAPIERALA	736.47
01/29/2021	Cking	59456	MISC01	TIA VERNON	20.34
01/29/2021	Cking	59457	102526	TIM BLAKESLEE	150.00
01/29/2021	Cking	59458	102097	TIME WARNER CABLE	2,655.17
01/29/2021	Cking	59459	MISC01	TIMOTHY & JAMIE JOYNT	490.94
01/29/2021	Cking	59460	MISC01	TIMOTHY & MORGAN BATTEN	294.49
01/29/2021	Cking	59461	MISC01	TIMOTHY & PENELOPE MCGRATH	113.06
01/29/2021	Cking	59462	MISC01	TIMOTHY & TRICIA SCHMIDT	95.12
01/29/2021	Cking	59463	MISC01	TIMOTHY MARTIN	362.31
01/29/2021	Cking	59464	MISC01	TODD & SANDRA SHUNNESON	35.91
01/29/2021	Cking	59465	MISC01	TRAVIS & GILLIAN ULRICH	92.49
01/29/2021	Cking	59466	MISC01	TROY & HALEY OWEN	62.97
01/29/2021	Cking	59467	0023	TYLER TECHNOLOGIES, INC.	6,294.65
01/29/2021	Cking	59468	MISC01	UIHLEIN ELECTRIC	10,465.00
01/29/2021	Cking	59469	102012	ULINE	710.40
01/29/2021	Cking	59470	102700	US ALLIANCE FIRE PROTECTION, INC	285.00
01/29/2021	Cking	59471	0070	VILLAGE OF SHOREWOOD	18,554.76
01/29/2021	Cking	59472	102116	VILLAGE OUTDOOR LIVING	16.55
01/29/2021	Cking	59473	0123	WE ENERGIES	32,264.63
01/29/2021	Cking	59474	0131	WEA INSURANCE TRUST	122,265.72
01/29/2021	Cking	59475	MISC01	WESLEY & MEGAN SUTTON	148.74
01/29/2021	Cking	59476	101652	WESTHOFEN WORKS, INC.	1,266.88
01/29/2021	Cking	59477	101689	WI DEPT. OF JUSTICE - TIME	2,217.00
01/29/2021	Cking	59478	101998	WI MUNICIPAL COURT CLERKS ASSOC.	45.00
01/29/2021	Cking	59479	101651	WM RECYCLE AMERICA	7,461.64
01/29/2021	Cking	59480	MISC01	XINFENG CHEN & YONGMEI XUE	69.13
					495,678.50
					495,678.50

## CKING TOTALS:

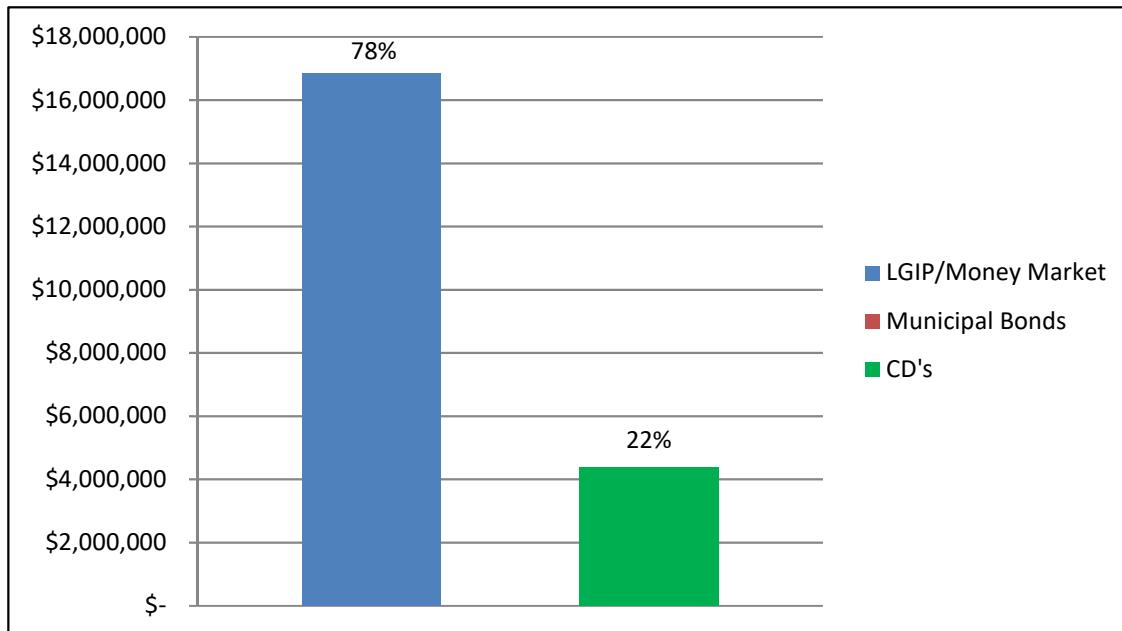
Total of 624 Checks:	1,546,088.73
Less 1 Void Checks:	982.99
Total of 623 Disbursements:	1,545,105.74

# Monthly Investment Summary

January 2021

	General	Post Retirement	Total
	Investments	Investments	
LGIP/Money Market	\$ 10,704,285	\$ -	\$ 10,704,285
Municipal Bonds	-	-	-
CD's:			
Less than 1 Year	1,516,166	531,845	2,048,011
1 to 3 Years	1,862,752	552,715	2,415,467
3 to 5 Years	-	-	-
Total CD's	3,378,918	1,084,560	4,463,478
Total Investments	<u>\$ 14,083,203</u>	<u>\$ 1,084,560</u>	<u>\$ 15,167,763</u>

Accrued Interest	\$ <u>6,070</u>	\$ <u>1,172</u>	\$ <u>7,242</u>
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## Application

Board or Commission Applying For      **Board of Appeals**

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Name      Tim Posnanski

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Email Address      [timothy.posnanski@huschblackwell.com](mailto:timothy.posnanski@huschblackwell.com)

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Address      6301 N. Lake Drive

---

City      Whitefish Bay

---

State      WI

---

Zip Code      53216

---

Phone Number

---

Fax Number      *Field not completed.*

---

Are you a registered voter  
of Whitefish Bay?      Yes

---

How long?      6 years

---

Have you attended a  
meeting of this  
Board/Commission?      Yes

---

Present Employer      Husch Blackwell LLP

---

Job Title      Partner

Previous Governmental  
Bodies/Elective Offices  
Applicant Has Served

Milwaukee County Election Commission

---

Position/Office Held

Chair

---

Dates

8/2014 - Present

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Civic or Charitable  
Organizations Organization  
to Which Applicant Has  
Belonged

Whitefish Bay Little League - Board Member  
Wisconsin LGBT Chamber of Commerce - Board  
Milwaukee Bar Association - Board Member  
Bavarian Soccer Club  
Hope House of Milwaukee

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Position Held

Board Member

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Dates

Various

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Special  
Interests/Hobbies/Talents

Coaching Youth Sports, Writing

---

College, Professional,  
Vocational Schools  
Attended

Marquette University

---

Major Subject

English and Philosophy

---

Dates

8/25/1998 - 5/25/2002

---

Degree/Date

B.A. / 2002

---

College, Professional,  
Vocational Schools  
Attended

Washington University School of Law

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Major Subject

Law

Dates	8/25/2002 - 5/15/2005
Degree/Date	J.D. / 2005
College, Professional, Vocational Schools Attended	<i>Field not completed.</i>
Major Subject	<i>Field not completed.</i>
Dates	<i>Field not completed.</i>
Degree/Date	<i>Field not completed.</i>
Please state reasons why you want to become a member of this Board or Commission, including what specific objectives you would be working toward as a member of this advisory board: (Attach second page if necessary)	I am actively involved in the Community in a number of capacities and enjoy engaging in Community activities. I would hope to dedicate my talents and energies to assisting the Appeals Board in addressing the myriad issues brought before it using my legal background to assist in evaluating problems and opportunities as they arise.
Any other information which you feel would be useful to the Board of Trustees in reviewing your application: (Attach 2nd page if necessary)	<i>Field not completed.</i>
Are you or a member of your family associated with any Organization/Employment that might be deemed a conflict of interest in performing your duties if appointed to this position?	No

If yes, please state name of      WI  
Organization/Employment

---

Do you have any relatives      No  
working or serving for the  
Village of Whitefish Bay?

---

If yes, please indicate the      *Field not completed.*  
name and relationship of  
the person

---

Would you be willing to      Yes  
abstain from voting on  
matters where a potential  
conflict of interest exists?

---

Have you been convicted of      No  
a felony or misdemeanor?

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If yes, explain convictions      *Field not completed.*

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How did you hear about the      Neighbor  
opening on this  
Commission?

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Signature of Applicant      Timothy H. Posnanski

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Date      2/5/2021

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February 4, 2021

Memo to: President Siegel and Members of the Whitefish Bay Village Board

From: John Edlebeck, P.E., Director of Public Works *jes*

Re: Proposed Revisions to Village Municipal Code

**Chapter 13** **Revisions to the Plumbing & Drainage Code to create Stormwater Management Code (Removal of Plumbing and Sanitary Sewer Use Codes to new Chapters while retaining the current Drainage Code [Stormwater Management Code] approved in 2020)**

**Chapter 14** **Deletion of old and creation of new Water Code**

**Chapter 20** **Deletion of old and creation of new Plumbing Code in new Chapter 20**

**Chapter 21** **Deletion of old and creation of new Sanitary Sewer Use Code in new Chapter 21**

The above referenced Municipal Code revisions have been in the works for several years. Staff from the Public Works Department have been working with Village staff from Village Building Services Department, Village Hall Administrative staff and legal staff to prepare the attached code revisions.

These recommended changes address some needed changes to some very old code sections (estimated at several decades old) while providing references and language bringing them up to the current 2021 standards. While extensive, I would characterize this as a housekeeping effort with little in the way of substantive changes that affect our Village residents, businesses or developers.

Changes discussed by the Public Works Committee at their February 3, 2021 meeting:

20-8 Delete the words **"or component parts"**

20-9 Delete the word "directed" and add the word "authorized"

Add the words "due to compliance restrictions" To read:

*Six (6) feet from the property line unless authorized by the Village due to compliance restrictions.*

21-5 Delete the words "may terminate sewer, and water service and service delivery"

Add the words: *"is authorized and directed to discontinue sewer and water service to any property only after reasonable notice and opportunity to appeal"*.

The Public Works Committee reviewed and recommended to the Village Board the above referenced Village Municipal Code revisions, changes and additions as attached and outlined above.

**Action Item:**

**Recommend approval by the Village Board the above referenced Village Municipal Code revisions, changes and additions as attached and outlined above.**

**STATE OF WISCONSIN MILWAUKEE COUNTY VILLAGE OF WHITEFISH BAY**

**ORDINANCE NO: 1876**

**An Ordinance to Repeal and Recreate Chapter 13 of the Municipal Code  
With Regard to Stormwater Management Regulations**

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The Village Board of the Village of Whitefish Bay, Milwaukee County, Wisconsin does ordain as follows:

Section One: Chapter 13 of the Municipal Code is hereby deleted in its entirety and recreated to read as follows:

**13-1 Purpose and Intent of Section.**

- (a) **PURPOSE.** The general purpose of this Section is to set forth stormwater requirements and criteria that will diminish the threats to public health, safety, welfare, and the aquatic environment due to runoff of stormwater from land development activity. Specific purposes are to:
  1. Further the maintenance of safe and healthful conditions;
  2. Prevent and control the adverse effects of stormwater, prevent and control soil erosion, prevent and control water pollution, protect spawning grounds, fish, and aquatic life;
  3. Assure the safe capacity of existing drainage facilities and receiving water bodies; prevent undue channel erosion; control increases in the scouring and transportation of particulate matter; prevent conditions that endanger downstream property; and
  4. Control building sites, placement of structures, and land uses, and promote sound economic growth.
- (b) **INTENT.** The intent of this Section is to manage the long-term, post- construction stormwater discharges from land development activities. Where such system plans have been developed and approved by the Village, it is the intent that all land development activities will include stormwater management measures that meet performance standards set forth in those approved plans. Where such stormwater management system plans have not been developed or approved, it is the intent of the Village that the generic stormwater management standards set forth be applied unless otherwise excepted by the Department of Public Works.

13-2 Definitions.

- (a) **AGRICULTURAL** means the planting, growing, cultivating, and harvesting of crops; growing and tending of gardens, and trees; harvesting of trees.
- (b) **CEASE AND DESIST ORDER** means a court issued order to halt land developing activity that is being conducted without the required permit.
- (c) **COMMON PLAN OF DEVELOPMENT OR SALE** means all lands included within the boundary of a certified survey or subdivision plat created for the purpose of development or sale of property where multiple separate and distinct land developing activity may take place at different times and on different schedules.
- (d) **DESIGN STORM** means a hypothetical discrete rainstorm characterized by a specific duration, temporal distribution, rainfall intensity, return frequency, and total rainfall depth.
- (e) **DISCHARGE VOLUME** means the quantity of runoff discharged from the land surface as the result of a rainfall event.
- (f) **FEE IN LIEU** means a payment of money to the Village in place of meeting all or part of the stormwater performance standards required by this Section.
- (g) **FINANCIAL GUARANTEE** means a performance bond, maintenance bond, surety bond, irrevocable letter of credit, or similar guarantees submitted to the Village by the permit holder to assure that requirements of this Section are carried out in compliance with the stormwater management plan.
- (h) **GROSS AGGREGATE AREA** means the total area, in acres, of all land located within the property boundary containing the land development activity.
- (i) **GROUNDWATER ENFORCEMENT STANDARD** means a numerical value expressing the concentration of a substance in groundwater which is adopted under Sec. 160.07 Wis. Stats. and Sec. NR 140.10 or Sec. 160.09 Wis. Stats., and Sec. NR 140.12.
- (j) **GROUNDWATER PREVENTIVE ACTION LIMIT** means a numerical value expressing the concentration of a substance in groundwater which is adopted under Sec. 160.15 Wis. Stats., and Sec. NR 140.10, 140.12, or 140.20.
- (k) **IMPERVIOUS SURFACE** means a surface that releases the rainfall as surface runoff during a large portion of the design rainfall event. rooftops, sidewalks, parking lots, and street surfaces are examples of impervious surfaces.
- (l) **INFILTRATION** means the process by which rainfall or surface runoff percolates or penetrates into the underlying soil.

- (m) **LAND DEVELOPMENT ACTIVITY** means any construction or re- development of buildings, roads, parking lots, paved and unpaved storage areas, and similar facilities, but not including agricultural activity.
- (n) **MAINTENANCE AGREEMENT** means a legal document that is filed with the Milwaukee County Register of Deeds as a property deed restriction, and which provides for long-term maintenance of stormwater management practices.
- (o) **NON-STORM DISCHARGE** means a discharge to the storm sewer system created by process other than stormwater runoff.
- (p) **NON-STRUCTURAL MEASURE** means a practice, technique, or measure to reduce the volume, peak flow rate, or pollutants in stormwater that does not require the design or installation of fixed stormwater management facilities.
- (q) **OFF-SITE** means located outside the property boundary described in the permit application for land development activity.
- (r) **OTHER THAN RESIDENTIAL DEVELOPMENT** means development of the following land uses: commercial; industrial; government and institutional; recreation; transportation, communication, and utilities.
- (s) **ON-SITE** means located within the property boundary described in the permit for the land development activity.
- (t) **PEAK FLOW DISCHARGE RATE** means the maximum rate at which a unit volume of stormwater is discharged.
- (u) **PERVIOUS SURFACE** means a surface that infiltrates rainfall during a large portion of the design rainfall event. Well-managed lawns, fields and woodlands are examples of pervious surfaces.
- (v) **POST-CONSTRUCTION STORMWATER DISCHARGE** means any stormwater discharged from a site following the completion of land disturbing construction activity and final site stabilization.
- (w) **POST-DEVELOPMENT CONDITION** means the extent and distribution of land cover types, anticipated to occur under conditions of full development that will influence stormwater runoff and infiltration.
- (x) **PRE-DEVELOPMENT CONDITION** means the extent and distribution of land cover types present before the initiation of land development activity, assuming that all land uses prior to development activity are managed in an environmentally sound manner.

- (y) **PRE-TREATMENT** means the treatment of stormwater prior to its discharge to the primary stormwater treatment practice in order to reduce pollutant loads to a level compatible with the capability of the primary practice.
- (z) **RESIDENTIAL DEVELOPMENT** means that which is created to house people, including the residential dwellings as well as all attendant portions of the development including lawns, driveways, sidewalks, garages, and access streets. Residential development includes single family, multi-family, apartments, and trailer parks.

- (aa) **RESTRICTION** means any physical characteristic which limits the use of a stormwater best management practice as prescribed in the Storm water post-construction technical standards.
- (bb) **STOP WORK ORDER** means an order issued by the Building Inspector that all construction activity on the site be stopped.
- (cc) **STORMWATER MANAGEMENT PLAN** means a document that identifies what actions will be taken to reduce stormwater quantity and pollutant loads from land development activity to levels meeting the purpose and intent of this Section.
- (dd) **STORMWATER MANAGEMENT SYSTEM PLAN** is a comprehensive plan developed to address stormwater drainage and non-point source pollution control problems on a watershed or sub-watershed basis, and which meets the purpose and intent of this Section.
- (ee) **STORMWATER RUNOFF** means that portion of the precipitation falling during a rainfall event, or that portion of snowmelt, that runs off the surface of the land and into the natural or artificial conveyance or drainage network.
- (ff) **STRUCTURAL MEASURE** means source area practices, conveyance measures, and end-of-pipe treatment that are designed to control stormwater runoff pollutant loads, discharge volumes, and peak flow discharge rates.
- (gg) **SURFACE WATER** means a “navigable” body of water as that term is defined in Section 281.31(2)(d) Wis. Stats. as amended from time to time.
- (hh) **VILLAGE PERSONNEL or AUTHORIZED PERSONNEL** means employees of the Village of Whitefish Bay or those agents authorized by the Village Board to implement these stormwater management.

- (ii) **GREEN INFRASTRUCTURE** means a stormwater management system or combination of systems that uses vegetation, soils and natural processes to mimic nature’s ability to soak up and store stormwater.

- (jj) **VEGETATED CONTROL MEASURES** means vegetated swales, bioretention areas, rain gardens, amended soil landscape areas, pocket wetlands, or similar practices that are designed and intended to provide stormwater treatment and control. regulations.
- (kk) **WATERS OF THE STATE** means those portions of Lake Michigan and Lake Superior within the boundaries of Wisconsin, and all lakes, bays, rivers, streams, springs, ponds, wells, impounding reservoirs, marshes, watercourses, drainage systems and other surface water or groundwater, natural or artificial, public or private, within the State or its jurisdiction.

### 13-3 Stormwater Management Plan and Facilities Required.

- (a) **PLAN AND FACILITIES REQUIRED.** No person shall proceed with any residential, commercial, industrial, or institutional land development or redevelopment, or with the land division of property without providing appropriate stormwater management facilities that adequately control stormwater runoff from such development or subdivided property. A site-specific stormwater management plan must be submitted and approved by the Village before any required new stormwater management facilities are constructed, unless exempted or waived pursuant to the provisions of this Section. An approved site-specific stormwater management plan is also required before an existing drainage system is relocated, deepened, widened, enlarged, filled, obstructed, or otherwise altered in preparation for land use development or land division of property. The plan must be submitted and approved before any land development is commenced or a land subdivision plat or by the Village certified survey map approved and recorded.
- (b) Public Easements shall overlay all public storm sewers, ditches and swales not located in Village owned right of way. All public drainage easements shall be labeled as “Public Drainage Easements” on plats of survey, site plans, and as-built drawings.

### 13-4 Applicability.

- (a) **APPLICABILITY.** This Section applies as set forth below to land development activities that meet applicability criteria specified in this Section. This Section also applies as set forth below to land development activities that are smaller than the minimum applicability criteria if such activities are part of a larger common plan of development or sale that meets any of the following applicability criteria, even though multiple separate and distinct land development activities may take place at different times on different schedules:
  1. Applicability requirements listed in the current publication of Chapter 13 Surface Water and Stormwater of the Milwaukee Metropolitan Sewerage District Rules.

2. Applicability requirements listed in the current publication of Chapter NR 151 Runoff Management, Subchapter III - Non-Agricultural Performance Standards.
3. For phased developments, the cumulative effect of all phases shall be considered.
4. Land development activity of any size that, as determined by majority vote of the Village Board after consulting with the Village Engineer and the Department of Public Works, is likely to result in stormwater runoff which exceeds the safe capacity of existing Village owned drainage facilities or receiving surface waters, which causes undue channel erosion, unreasonably increases surface water pollution by scouring or the transportation of particulate matter, or endangers downstream property on a surface water.

(b) JURISDICTION. This Section applies to all lands and waters, and all land development activities within boundaries of the Village of Whitefish Bay.

(c) EXEMPTIONS. The following activities are exempt from stormwater management plan requirements:

1. Exemptions from Discharge Quantity requirements shall be those listed in the current publication of Chapter 13 (Surface Water and Stormwater) of the Milwaukee Metropolitan Sewerage District Rules.
2. Exemptions from Discharge Quality requirements shall be those listed in Chapter NR 151 Runoff Management, Subchapter III - Non-Agricultural Performance Standards.
3. Facilities, or portions thereof, for which a Special Exception is granted pursuant to Section 16.20 of the Zoning Code.

### 13-5 Stormwater Management Standards.

(a) STORMWATER MANAGEMENT CRITERIA.

1. The site-specific stormwater management system plan required under the provisions of this Section shall be designed in accordance with good engineering practice. The specific methods to be used in the calculation of peak rates of discharge, volumes, and water quality conditions and of the hydraulic capacities of storage and conveyance facilities shall be left to the judgment of the professional engineer preparing the plan subject, however, to the approval of the Village.
2. The stormwater management plan should consider an analysis of at least two green infrastructure BMPs appropriate for the site as compared to the use of traditional BMPs only. If green infrastructure BMPs are not proposed, the analysis should include a Wisconsin professional engineer's statement as to why green

infrastructure BMPs are not suitable or recommended for the stormwater management plan.

(b) STORMWATER DISCHARGE QUANTITY STANDARDS.

1. The conveyance and storage facilities incorporated into the site-specific stormwater management system plan required under this Section shall be designed as an integral part of complementary minor and major subsystem.
2. The minor subsystem shall be designed to avoid nuisance flooding of streets and yards and shall accommodate the peak rate of runoff from rainfall events up to and including the 10-year recurrence interval event. The rainfall intensity shall be determined based on appropriate times of concentration from relationships established and published by NOAA Atlas 14, Precipitation-Frequency Atlas of the US, Volume 8, Version 2.0: Midwestern States, Published in 2013.
3. The complementary major subsystem shall consist of the public streets and interconnected flow paths to the streets and from the streets to receiving streams and watercourses. The major system shall be designed to accommodate peak rates of discharge from rainfall events up to and including the 100-year recurrence interval event without inundation of exposed basements, building basement window wells, basement entryways, or the first floors of buildings, utilizing a one-foot freeboard.
4. Unless otherwise provided for, all land development activities subject to this Section shall establish on-site management practices to control the peak flow rates of stormwater discharged from the site. On-site management practices shall be used to meet the following minimum performance standards.

(c) PEAK FLOW DISCHARGE.

1. Discharge Quantity Management requirements shall be those listed in the current publication of Chapter 13 (Surface Water and Stormwater) of the Milwaukee Metropolitan Sewerage District Rules.
2. The area included in discharge limit calculations in the form of cfs/acre shall consist of the entire portion of the site draining to the discharge location under consideration.
3. Green Infrastructure BMPs, including vegetated control measures, are permissible means for achieving peak discharge requirements.
4. If the land development site or the proposed stormwater management facility currently receives or is proposed to receive surface runoff originating from off-site tributary watershed areas, the stormwater management criteria shall only apply to the portion of the total runoff that originates from the land being developed.

5. Any stormwater management pond shall fully contain the runoff from the tributary watershed area during the 100-year, 24-hour rainfall with a SCS TYPE II distribution under the post-development conditions. The tributary watershed area consists of all on-site and off-site areas draining to the pond.
6. Emergency overland flow for all stormwater facilities shall be provided to prevent exceeding the safe capacity of downstream drainage facilities and prevent endangerment of downstream property or public safety.
7. If surface runoff leaves the site at more than one location, discharge at each location must individually meet the standards set forth in this Section. The discharge comparisons shall be made at stormwater conveyance facilities (i.e., ditches, culverts, storm sewers, stormwater detention ponds, channels, streams, etc.) that are located immediately downstream of each discharge location of the land development site.
8. Impacts to the hydraulic performance of downstream conveyance or storage facilities shall be avoided. Where such changes are proposed, the impact of the proposal on existing stormwater detention ponds shall be assessed using a methodology acceptable to the Village.
9. All stormwater runoff conveyance facilities within the boundaries of the property that is being developed shall be sized to adequately carry the runoff from a 10-year recurrence interval rainfall of 0.5, 1, 6, or 12-hour duration, depending on the duration that results in the most critical peak runoff rate from the area under consideration. In some cases, less sophisticated computation methods such as the Rational Method may be used with prior written Village approval.
10. For storms exceeding the design capacity of the conveyance system, overland drainage routes shall direct the excess runoff to any stormwater management pond proposed for the site.
11. When the Soil Conservation Service TR-55 Method is used to calculate peak flow discharge rates and runoff volumes for the pre- development condition, NRCS curve numbers shall be used. When other methods for computing runoff are used, they shall assume comparable runoff conditions.

(d) **STORMWATER DISCHARGE QUALITY STANDARDS.** Unless otherwise provided, all land development activities subject to this Section shall establish on-site management practices to control the quality of stormwater discharged from the site. On-site management practices shall be used to meet the following minimum standards.

Discharge Quality Management requirements shall be those listed in Chapter NR 151 Runoff Management, Subchapter III - Non-Agricultural Performance Standards.

1. Stormwater Quality ponds shall be designed and constructed in accordance with Storm water post-construction technical standards.
2. Stormwater discharges shall be pre-treated prior to infiltration where necessary to prolong maintenance of the infiltration practice and to prevent discharge of stormwater pollutants at concentrations that will result in exceedances of groundwater preventive action limits or enforcement standards established by the Department of Natural Resources in NR 140 Wisconsin Administrative Code as amended from time to time. Stormwater shall not be injected underground through excavations or openings that would violate NR 812.05 Wis. Admin. Code as amended from time to time.
3. Only Green Infrastructure BMPs that do not clog are permissible for achieving total suspended solids requirements.

(e) INFILTRATION.

1. Infiltration requirements shall be those listed in Chapter NR 151 Runoff Management, Subchapter III - Non-Agricultural Performance Standards.
2. Infiltration Exclusions shall be those listed in Chapter NR 151 Runoff Management, Subchapter III - Non-Agricultural Performance Standards.
3. Infiltration Exemptions requirements shall be those listed in Chapter NR 151 Runoff Management, III - Non-Agricultural Performance Standards.
4. Green Infrastructure BMPs are permissible means for achieving infiltration requirements.

(f) EXCEPTIONS. The Village Board may establish stormwater management requirements either more or less stringent than those set forth in this subsection, provided that at least one of the following conditions apply:

1. The Department of Public Works determines that a higher level of protection is needed to protect sensitive resources.
2. The Department of Public Works determines that a higher level of protection from flooding is required to protect the public health and safety.
3. The Department of Public Works determines that more restrictive discharge controls are needed because existing downstream conveyance or storage facilities are or will be rendered inadequate as a result of development activity.
4. The Department of Public Works determines that the land development activity is covered by an approved stormwater management system plan that contains management requirements consistent with the purpose and intent of this Section.

5. Provisions are made to manage stormwater by an off-site facility, provided that all of the following conditions for the off-site facility are met:
  - i. The facility is in place,
  - ii. The facility is designed and adequately sized to provide a level of stormwater control equal to or greater than would be provided by on-site practices meeting the requirements of this Section.
  - iii. The facility has a legally obligated entity responsible for its long-term operation and maintenance.
  - iv. The Department of Public Works finds that meeting the minimum on-site management requirements of this Section is not feasible due to space or site restrictions.

(g) FEE IN LIEU OF ON-SITE STORMWATER MANAGEMENT PRACTICES. Where the Village Board waives all or part of the minimum on-site stormwater management requirements under this Section, the applicant may be required to pay a fee in an amount determined by the Village Board. To assist the Village Board in setting the fee, the Department of Public Works shall recommend an equitable distribution of the cost for land, engineering design, construction, and maintenance of stormwater management practices needed to serve the land development.

(h) FUELING AND VEHICLE MAINTENANCE AREAS. Fueling Area Performance Standard shall be those listed in Chapter NR 151 Runoff Management, Subchapter III - Non-Agricultural Performance Standards.

### 13-6 Permitting Requirements, Procedures and Fees.

- (a) PERMIT REQUIRED. No landowner or land operator may undertake a land development activity subject to this Section without receiving a permit from the Department of Public Works prior to commencing the proposed activity.
- (b) PERMIT APPLICATION, FEES, AND COSTS. Unless specifically excluded by this Section, any landowner or operator desiring a permit shall submit to the Village a permit application made on a form provided.
  1. Unless otherwise excepted by this Section, a permit application must be accompanied by the following in order that the permit application be considered by the Department of Public Works: a stormwater management plan, a maintenance agreement, and a non-refundable permit administration fee.
  2. The stormwater management plan, maintenance agreement financial guarantee and fees shall meet the requirements of this Section.

3. The Applicant shall reimburse the Village for all of the Village's costs and expenses incurred (including professional and attorneys' fees) in reviewing the application.

(c) **REVIEW AND APPROVAL OF PERMIT APPLICATION.** The Department of Public Works shall review any permit application that is submitted with a stormwater management plan, maintenance agreement, and the required fees and make a recommendation to the Village Board for approval, approval with modifications, or denial. The following procedure shall be used:

1. Within 30 business days of the receipt of a complete permit application, including all items as required by this subsection, the Department of Public Works shall inform the applicant whether the application, plan and maintenance agreement are approved or disapproved.
2. If the stormwater permit application, plan and maintenance agreement are approved, or if an agreed upon payment of fees in lieu of stormwater management practices is made, the Department of Public Works shall issue the permit.
3. If the stormwater permit application, plan or maintenance agreements are disapproved, the Department of Public Works shall detail in writing of the reasons for disapproval.
4. If additional information is submitted, the Department of Public Works shall have 15 business days from the date the additional information is received to inform the applicant that the plan and maintenance agreement are either approved or disapproved.
5. All permits require Village Board approval.

(d) **PERMIT CONDITIONS.** All permits issued under this Section shall be subject to the following conditions, and holders of permits issued under this Section shall be deemed to have accepted these conditions. The Department of Public Works may suspend or revoke a permit for violation of a permit condition, following written notification of the permittee. An action to suspend or revoke this permit may be appealed in accordance with this Section.

1. Compliance with this permit does not relieve the permit holder of the responsibility to comply with other applicable federal, state, and local laws and regulations.
2. The permit holder shall design and install all structural and non- structural stormwater management measures in accordance with the approved stormwater management plan and this permit.
3. The permit holder shall notify the Village at least 3 working days before commencing any work in conjunction with the stormwater management plan, and

within the next working day upon completion of the stormwater management practices. If required as a special condition, the permit holder shall make additional notification according to a schedule set forth by the Village so that practice installations can be inspected during construction.

4. Practice installation required as part of this Section shall be certified "as-built" by a licensed professional engineer. Completed stormwater management practices must pass a final inspection to determine if they are in accordance with the approved stormwater management plan and this Section. The Village shall notify the permit holder in writing of any changes required in such practices to bring them into compliance with the conditions of this permit.
5. The permit holder shall notify the Village of any significant modifications it intends to make to an approved stormwater management plan. The Village may require that the proposed modifications be submitted for approval prior to incorporation into the stormwater management plan and execution.
6. The permit holder shall maintain all stormwater management practices in accordance with the stormwater management plan until the practices are transferred to subsequent private owners as specified in the approved maintenance agreement.
7. The permit holder authorizes the Village to perform any work or operations necessary to bring stormwater management measures into conformance with the approved stormwater management plan, and consents to a special assessment or charge against the property as authorized under Sec. 66.0627 Wis. Stats. as amended from time to time, or to charging such costs against the financial guarantee posted under this Section.
8. If so directed by the Village, the permit holder shall repair at the permit holder's own expense all damage to adjoining municipal facilities and drainage ways caused by stormwater runoff, where such damage is caused by activities that are not in compliance with the approved stormwater management plan.
9. The permit holder shall permit property access to the Village personnel for the purpose of inspecting the property for compliance with the approved stormwater management plan and this permit.
10. Where a stormwater management plan involves changes in direction, increases in peak rate and/or total volume of runoff from a site, the Village may require the permittee to make appropriate legal arrangement with adjacent property owners concerning the prevention of endangerment to property or public safety.
11. The permit holder is subject to the enforceable actions detailed in this Section if the permit holder fails to comply with the terms of this permit.

(e) PERMIT DURATION. Permits issued under this section shall be valid from the date of issuance through the date the Village notifies the permit holder that all stormwater management practices have passed the final inspection required under the Permit.

13-7 Stormwater Management Plan Contents.

(a) PLAN REQUIREMENTS. The stormwater management plan required under this Section shall contain any information the Village may need to evaluate the environmental characteristics of the area affected by land development activity, the potential impacts of the proposed development upon the quality and quantity of stormwater discharges, the potential impacts upon water resources and drainage utilities, and the effectiveness and acceptability of proposed stormwater management measures in meeting the performance standards set forth in this Section.

The plan shall include computations of peak flow rates and discharge volumes at each point of discharge into and out of the site concerned under existing and planned development and redevelopment conditions. The data shall include times of concentration to key junctions in flow paths and to points of discharge into and out of the site.

The plan shall consist of narrative descriptions and explanations; maps, charts, and graphs; tables; photographs; supporting calculations; and references to recognized engineering text and manuals as may be necessary to provide a clear and concise description of the plan. The sources of maps and data presented in the plan shall be identified.

For phased developments, the site development stormwater management plan shall consider the cumulative effect of all phases.

Unless specified otherwise by this Section, stormwater management plans shall contain at a minimum the following information:

1. Name, address, and telephone number for the following or their designees: landowner; developer; project engineer for practice design and certification; person(s) responsible for installation of stormwater management practices; person(s) responsible for maintenance of stormwater management practices prior to the transfer, if any, of maintenance responsibility to another party; and
2. A proper legal description of the property proposed to be developed referenced to the U.S. Public Land Survey system or to block and lot numbers with a recorded land subdivision plat.

(b) PRE-DEVELOPMENT SITE CONDITIONS. The plan shall include a map and description of the existing conditions of the site concerned including:

1. A map of the site at a scale of 1 inch equals 100 feet or larger showing the property boundaries referenced to the U. S. Public Land Survey system or to a lot and block of a recorded subdivision plat; the topography of the site including contours shown at an interval of 2 feet or less, together with such spot elevations as may be necessary; the contours and spot elevations shall be referenced to the National Geodetic Vertical Datum of 1929, or to Village Datum with prior written approval from the Village;
2. The hydrologic and hydraulic characteristics of the site including drainage flow paths and directions of flow onto, though, and out of the site; related drainage basin boundaries, including off-site tributary areas; times of concentration;
3. The location of areas where stormwater may collect or percolate into the ground;
4. Locations where runoff enters the site from adjacent tributary areas together with the size of those areas expressed in acres;
5. Locations where runoff leaves the site and the contributing watersheds to each of these locations expressed in acres;
6. 2-year, 24-hour, SCS TYPE II peak runoff rate at each location where runoff leaves the site, expressed in cubic feet per second;
7. Ground water elevations referred to the National Geodetic Vertical Datum of 1929 or to Village Datum with prior written approval from the Village;
8. Soils by hydrologic group;
9. Cover type and condition;
10. Location and extent of impervious surfaces, including type and condition of the surfaces;
11. Locations and outlines of all buildings or other structures;
12. Location of all receiving bodies of surface water on or within 100 feet of the site into which stormwater flows
13. Locations and size of wetlands on or within 100 feet of the site. Wetland boundary delineation shall be made in accordance with Wis. Adm. Code NR 103.08 (1m).;
14. Location and extent of the 100 year recurrence interval flood hazard area associated with any perennial stream or watercourse on or within 100 feet of the site;
15. Information regarding current water quality objectives and current water quality conditions in any perennial watercourses located on or within 100 feet to the site;

16. Locations, sizes, and elevations of all existing storm sewers, channels, ditches, detention or retention ponds, or other engineered drainage facilities on or within 100 feet of the site; the elevations being referred to the National Geodetic Datum of 1929 or to Village Datum with prior written approval from the Village.

(c) PROPOSED POST-DEVELOPMENT SITE CONDITIONS. The plan shall describe the alterations proposed at to the site and the resulting proposed post-development conditions. The description shall include:

1. Explanation of the provisions to preserve and use natural topography and land cover features to minimize changes in peak flow runoff rates and volumes to surface waters;
2. Proposed changes in the planimetry of the site, and in the topography of the site by contours having the same contour interval and referred to the same datum as used to present the topography of the existing site conditions;
3. The location and outline of all proposed buildings or other structures;
4. Changes in the location, extent and type of impervious surfaces;
5. The location and extent of areas where vegetation is to be disturbed or planted;
6. Impacts on existing natural storage or infiltration areas;
7. Changes in the drainage flow paths into, through, and out of the site, and related changes in drainage basin boundaries;
8. The location, elevations, and sizes of all proposed minor and major stormwater management facilities; the former including all storm sewers and inlets, and the latter including curbed roadways, roadway ditches, culverts, storage facilities, and interconnected flow paths; all elevations being referred to the National Geodetic Vertical Datum of 1929 or to Village Datum with prior written approval from the Village;
9. Any changes to lakes, streams, watercourses, or wetlands on or within 100 feet of the site concerned; and
10. The location and widths of required public rights-of-way or easements needed to accommodate the recommended stormwater management facilities.

(d) ANTICIPATED IMPACTS. The plan shall contain a description of the following anticipated impacts of stormwater runoff from the proposed development, redevelopment, or land division as managed by the facilities and measures recommended in the plan:

1. Computed runoff discharge rate as indicated by Chapter 13 MMSD rules and NR 151 WDNR regulations;
2. Computed runoff volume for the 1.5-inch, 4-hour rainfall with a Huff Distribution;
3. All major assumptions used in developing input parameters shall be clearly stated. The computations shall be made for each discharge point in to and out of the site, and the geographic areas used in making the calculations shall be clearly cross-referenced to the required map(s), including off-site tributary watershed areas;
4. Changes in the locations and conveyance capacities of stormwater discharge points from and to the site concerned;
5. Adequacy of receiving storm sewer, engineered stormwater management facility or watercourse to convey or store the anticipated peak rate of stormwater discharge from the site concerned, giving due consideration to existing and off-site flows;
6. Changes in the location and extent of the 100-year recurrence interval flood hazard area of any perennial watercourse location within, through, or within 100 feet of, the site concerned;
7. Results of investigations of soils and groundwater required for the placement and design of stormwater management measures; and
8. Changes in ground water elevations referred to National Geodetic Vertical Datum of 1929 or to Village Datum with prior written approval from the Village.

(e) **PROPOSED STORMWATER MANAGEMENT FACILITIES AND MEASURES.** The plan shall include a definitive description of the proposed stormwater management facilities and measures for the control of the quantity and quality of the anticipated stormwater runoff from the proposed development, redevelopment, or land division. All site investigations, plans, designs, computations, and drawings shall be certified as prepared in accordance with accepted current engineering practice and in accordance with “WDNR Storm water post-construction technical standards,” “WDNR Storm water construction technical standards,” and “Standard Specifications for Sewer and Water Construction in Wisconsin.”

The description of the proposed management facilities shall include:

1. For detention and retention facilities: locations, areas, depths, volumes, inlet and outlet configurations, and elevation of the bottoms, and of key inlet and outlet control structures; all elevations being referred to National Geodetic Vertical Datum of 1929 or to Village Datum with prior written approval from the Village;

2. For conveyance facilities: locations of inlets and manholes and associated rim and invert elevations, and pipe sizes, slope and materials; locations, elevations, and cross sections of ditches, swales and channels; and culvert sizes, inlet and outlet configurations and elevations; all elevations being referred to National Geodetic Vertical Datum of 1929 or to Village Datum with prior written approval from the Village;
3. Design computations and all applicable assumptions for the stormwater conveyance (open channel, closed pipe, etc.) system;
4. Detailed drawings including cross-sections and profiles of all permanent stormwater conveyance and treatment practices;
5. Design computations and all applicable assumptions for stormwater quality practices (sedimentation type, filtration type, infiltration type) as needed to show that practices are appropriately sized to accommodate runoff from the 1.5-inch rainfall;
6. Erosion Control Plan in accordance with the “WDNR Storm water construction technical standards,” published and periodically updated by the Wisconsin Department of Natural Resources;
7. Measures to abate any potential pollution of surface and ground waters;
8. A schedule for the construction of the recommended stormwater management facilities and estimates of attendant capital and operation and maintenance costs;
9. A maintenance plan developed for the life of each stormwater management practice including the required maintenance activities and maintenance activity schedule; and
10. Other information as needed by the Village to determine compliance of the proposed stormwater management measures with the provisions of this Section.

(f) EXCEPTIONS. The Village may prescribe alternative submittal requirements for applicants seeking an exemption to on-site stormwater management performance standards under this Section.

13-8 Maintenance Agreement.

(a) MAINTENANCE AGREEMENT REQUIRED. The maintenance agreement required for stormwater management practices under this Section shall be an agreement between the Village and the permittee to provide for maintenance of stormwater practices beyond the duration period of this permit. The agreement or recordable document shall be recorded with the Milwaukee County Register of Deeds so that it is binding upon all subsequent owners of land served by the stormwater management practices.

(b) **AGREEMENT PROVISIONS.** The maintenance agreement shall contain the following information and provisions:

1. Identification of the stormwater facilities and designation of the drainage area served by the facilities;
2. A schedule for regular maintenance of each aspect of the stormwater management system consistent with the stormwater management plan;
3. Identification of the landowner(s), organization or municipality responsible for long-term maintenance of the stormwater management practices;
4. The landowner(s), organization, or municipality shall maintain stormwater management practices in accordance with the schedule included in the agreement;
5. The Village is authorized to access the property to conduct inspections of stormwater practices as necessary to ascertain that the practices are being maintained and operated in accordance with the agreement;
6. The Village shall maintain public records of the results of the site inspections, shall inform the landowner responsible for maintenance of the inspection results, and shall specifically indicate any corrective actions required to bring the stormwater management practice into proper working condition;
7. That if the Building Inspector notifies the party designated under the maintenance agreement of maintenance problems that require correction, the specific corrective actions shall be taken within a reasonable time frame determined by the Village; and
8. The Village is authorized to perform the corrective actions identified in the inspection report if the landowner does not make the required corrections in the specified time period. The Village shall enter the amount due on the tax rolls and collect the money as a special charge against the property pursuant to Sec. 66.0627 Wis. Stats., as amended from time to time.

### 13-9 Financial Guarantee.

(a) **ESTABLISHMENT OF THE GUARANTEE.** The Village Board may require the submittal of a financial guarantee, the form and type of which shall be acceptable to the Village. The financial guarantee shall be in an amount determined by the Village to be the estimated cost of construction and the estimated cost of maintenance during the period which the designated party in the maintenance agreement has maintenance responsibility. The financial guarantee shall give the Village the authorization to use the funds to complete the project if the landowner defaults or does not properly implement the approved stormwater management plan.

(b) **CONDITIONS FOR RELEASE.** Conditions for the release of the financial guarantee are as follows:

1. The Village shall release the portion of the financial guarantee established to assure installation of stormwater practices, minus any costs incurred by the Village to complete installation of practices, upon submission of "as built plans" by a licensed professional engineer. The Village may make provisions for a partial pro-rata release of the financial guarantee based on the completion of various development stages; and
2. The Village shall release the portion of the financial security established to assure maintenance of stormwater practices, minus any costs incurred by the Village, at such time that the responsibility for practice maintenance is passed on to another entity via an approved maintenance agreement.

13-10 Fee Schedule.

(a) **BASIS.** Fees as described in this Section shall be determined by the Village Board from time to time. Fees shall be related to the costs involved in handling permit applications, reviewing plans, conducting site inspections, and administering the stormwater management program.

13-11 Illicit Discharges and Unauthorized Connections.

(a) **DISCHARGES PROHIBITED.** No person may discharge, spill or dump substances or materials which are not entirely composed of stormwater into receiving bodies of water, storm sewers or drainage facilities, or onto driveways, sidewalks, parking lots or other areas that discharge into the Village drainage system.

(b) **CONNECTIONS PROHIBITED.** It shall be a violation of this chapter to connect a sanitary sewer pipe or drain, connect a pipe or drain that contributes pollutants associated with industrial activity; or connect any hydraulic conveyance facility that introduces non-stormwater discharges to the Village stormwater drainage system and facilities. All such non-stormwater discharges into the Village stormwater system and facilities shall be defined as illicit discharges.

1. Illicit discharges shall cease, desist, and be abated by the person or persons responsible within 24 hours of notice from the Building Inspector. If the person or persons responsible fail to cease, desist, and abate the illicit discharge, the Village may take such action itself and seek reimbursement in Municipal or Circuit Court or via special assessment under 66.0627 Wis. Stats.

(c) **EXEMPTIONS.** The following activities are exempt from the provisions of this section unless found to have an adverse impact on the stormwater:

1. Discharges authorized by a permit issued by the Wisconsin Department of Natural Resources;
2. Discharges resulting from fire fighting activities;
3. Discharges in compliance with construction site erosion controls or stormwater management regulations contained in this Section;
4. Facility maintenance activities undertaken by any federal, state, county, or municipal agency, such activities, however, being subject to construction erosion control measures; and
5. Discharges from uncontaminated pumped ground water, potable water source, roof drains, foundation drain and sump pump, air conditioning condensation, springs, lawn watering or irrigation, individual residential car washing, and swimming pools if the water has been dechlorinated;

(d) PENALTY. Violations shall be subject to enforcement procedures and penalties set forth in this Section.

#### 13-12 Inspection, Enforcement and Penalties.

(a) INSPECTION. Village personnel shall carry out inspections, investigations, and monitoring to assess and confirm compliance with the requirements of this Section.

1. Village Personnel will inspect, conduct surveillance, and monitor the municipal drainage system and discharge outfalls on an annual basis to assess system performance and water quality. Findings of non-compliance with this Section during regular inspection, surveillance, or monitoring of the Village drainage system shall initiate further investigation to identify the source of the pollution discharge to the drainage system.
2. Village Personnel will inspect land development activity for compliance with permit conditions as defined in this Section.

(b) PUBLIC NUISANCE. The following shall be deemed to constitute public nuisances and may be prosecuted as such by the Village or by aggrieved property owners:

1. Any development, redevelopment, or property land division that is commenced without an approved stormwater management plan as required by this Section;
2. Any land development activity initiated after the effective date of this Section by any person, firm, association, or corporation subject to the Section provisions shall be deemed a violation unless conducted in accordance with said provisions;
3. Any drainage facility not maintained in accordance with this Section;

4. Any illicit discharge as defined in this Section to the Village stormwater drainage system and facilities; and
5. Any activity that adversely impacts on surface or ground water quality or endangers the health and safety of the public.

(c) **COMPLIANCE ORDER.** The Building Inspector shall notify the responsible owner or operator by certified mail of any non-complying activity. The notice shall describe the nature of the violation, remedial actions needed, a schedule for remedial action, and additional enforcement action that may be taken.

1. Upon receipt of written notification from the Building Inspector, the responsible owner or operator of the non-complying activity or property shall make corrections as necessary to meet the requirements set forth in this ordinance.
2. If the permit holder or the person(s) in violation of this Section continue non-compliant practices, Village Personnel may enter upon the land and perform the work or other operations necessary to bring the said activity into conformance with requirements of this Section. The Village shall keep a detailed accounting of the costs and expenses of performing this work. If applicable, these costs and expenses shall be deducted from any financial security posted pursuant to this Section. Where such a security has not been established, or where such a security is sufficient to cover these costs, the costs and expenses shall be entered on the tax roll as a special charge against the property and collected with any other taxes levied thereon for the year in which the work is completed.
3. The Building Inspector is authorized to post a stop order on all activity in violation of this Section, or to request the Village attorney to obtain a cease and desist order.
4. If the violations to this Section are likely to result in damage to private properties, public facilities, or waters of the state, Village Personnel may take emergency actions necessary to prevent such damage. The costs incurred by the Village plus interest and legal costs shall be billed to the owner of title of the property.
5. The Department of Public Works may revoke a permit issued under this Section for non-compliance with this Section.
6. Any person, firm, association, or corporation who does not comply with the provisions of this Section shall be subject to a forfeiture of not less than \$50.00 nor more than \$1,000.00 per offense, together with the costs of prosecution. Each day that the violation exists shall constitute a separate offense.
7. Compliance with this Section may be enforced by injunction, citation, and abatement of nuisance or other appropriate and available remedy. It shall not be necessary to prosecute for forfeiture before resorting to injunctive proceedings.

13-13 Appeals.

(a) **BOARD OF APPEALS.** The Board of Appeals created pursuant to Section 16.20 of the Municipal Code as authorized by Sections 62.23(7)(e) and 68. 11, Wis. Stats. as amended from time to time:

1. Shall hear and decide appeals where it is alleged that there is error in any order, decision or determination made by the Village in administering this Section;
2. Upon appeal, may authorize variances from the provisions of this Section which are not contrary to the public interest and where owing to special conditions a literal enforcement of the provisions of this Section will result in unnecessary hardship;
3. Shall use the rules, procedures, duties and powers authorized by statute in hearing and deciding appeals and authorizing variances; and
4. Shall be authorized to grant full or partial Special Exceptions pursuant to Section 16.20 of the Municipal Code.

(b) **WHO MAY APPEAL.** Appeals to the Board of Appeals may be taken by any aggrieved party.

13-14 PENALTIES AND REMEDIAL WORK BY THE VILLAGE: (Ord. 1779)

(a) Any person who shall violate any provision of this chapter shall be subject to a penalty as provided in Section 17.04 of this code, in addition to the specific penalties provided in this chapter. A separate offense shall be deemed committed on each day on which a violation of this chapter occurs or continues.

(b) As a further remedy for violation, any provision of this Chapter, the Village Board hereby authorizes the Plumbing Inspector or designee to take such remedial action on the property as is necessary to remedy any such violation, and authorizes the Village Treasurer to place the cost of such work, including all remedial and direct and indirect costs on the property tax bills for the property in question as a special charge for current services pursuant to Section 66.0627 Wis. Stats.

Section Two: All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby and to such extent repealed.

Section Three: This ordinance shall take effect and be in force from and after its passage and posting.

PASSED AND ADOPTED by the Village Board of Trustees of the Village of Whitefish Bay this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

VILLAGE OF WHITEFISH BAY

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Julie Siegel, Village President

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Jaimie Krueger, Village Clerk

**STATE OF WISCONSIN MILWAUKEE COUNTY VILLAGE OF WHITEFISH BAY**

**ORDINANCE NO: 1877**

**An Ordinance to Repeal and Recreate Chapter 14 of the Municipal Code  
With Regard to Water Supply**

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The Village Board of the Village of Whitefish Bay, Milwaukee County, Wisconsin does ordain as follows:

Section One: Chapter 14 of the Municipal Code is hereby deleted in its entirety and recreated to read as follows:

**CHAPTER 14  
WATER CODE**

**ARTICLE I  
VILLAGE WATER SYSTEM- GENERAL**

Sec. 14-1. - Introduction and purpose.

- A. The purpose of this Chapter is to regulate and control the operation and use of the potable public water system within the Village in order to promote the public health, safety, and general welfare of the community. The utility is designed to promote reasonably adequate and compliant potable water services for the community and to set forth equitable revenue systems so as to derive the maximum public benefit.
- B. The utility is subject to regulation by the Wisconsin Public Service Commission. This article enables the utility to comply with the requirements of Wis. Admin. Code Ch. PSC 185, Standards for Water Public Utility Service, and any other state or federal law.

Sec. 14-2. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Board* means the Village of Whitefish Bay Board of Trustees.

*Committee* means the Village of Whitefish Bay Public Works Committee.

*Curb stop* means a water shutoff valve located between the curb and the property line on each water service.

*Customer* means any person, owner or occupant, firm, partnership, corporation, municipality, cooperative organization, governmental agency, or political entity provided with water service by the Village.

*Delinquent account* means an account which has a bill for an unpaid service after payment is due.

*Meter* means an instrument installed to measure the volume and/or rate of flow of water delivered through it.

*Public Service Commission (PSC)* means the Public Service Commission of Wisconsin. It is an independent regulatory agency responsible for regulating public utilities in the energy, telecommunications, gas and water companies located in U.S. State of Wisconsin.

*Stop box* means a product or device installed on each water service to locate, protect and access the curb stop.

*Unit of service* means any residential or small commercial aggregation of space or area occupied for a distinct purpose such as a residence, apartment, store or office, which is equipped with one or more fixtures for rendering water supply, separate and distinct from other users.

*Utility* means the Village of Whitefish Bay Water Utility.

*Utility classification codes* means:

- (1) Residential (includes private homes, duplexes, and apartment buildings three units and under).
- (2) Multi-Unit Dwellings (four or more units).
- (3) Commercial (includes all businesses, churches, and apartment buildings four units and over that are not individually metered).
- (4) Industrial (includes manufacturing plants).
- (5) Public (includes Village properties, schools, and government).
- (6) Irrigation consists of those customers who use a second meter to measure water for uses such as lawn sprinkling, gardening, watering outdoor plants, golf courses, swimming pools or other recreation areas, or washing of motor vehicles, boats trailers or the exterior of any building structure.

*Village* means the Village of Whitefish Bay Board of Trustees or designees.

*Village Board* means the Village of Whitefish Bay Board of Trustees.

*Water lateral* means the piping from the main to the curb stop.

*Water service pipe* means the piping from the curb stop to the building.

#### Sec. 14-3. – Wisconsin state plumbing code adopted.

The provisions of Wis. Admin. Code, chs. COMM 81 to 86, inclusive, (State Plumbing Code) and all subsequent amendments thereto are hereby adopted by reference and incorporated in this Code as if fully set forth. Access to the current State Plumbing Code shall be located in the office of the Director of Building Services and shall be kept available for public inspection. The regulations hereby adopted shall be administered by the Board, Director of Public Works and Director of Building Services. Violations of the provisions hereby adopted or any rule or order of the Board adopted in compliance therewith shall be subject to the enforcement and abatement procedures of Chapter 17.

#### Sec. 14-4. - Management and supervision of utility.

- A. The utility shall be managed by the Village Board.
- B. The utility shall be supervised by the Director of Public Works. It shall be the duty of the Director to supervise the operation of the utility and to comply with the ordinances, rules, and

regulations of the Village, the Public Service Commission of the state, and all applicable state and federal laws.

**Sec. 14-5. - Compliance with rules required for service.**

All persons receiving a water supply from the utility, or who may hereafter make application therefor, shall be considered as having agreed to be bound by the water utility rules and regulations filed with the Public Service Commission of the state and with the terms of this article.

**Sec. 14-6. - Falsifying information.**

No person shall knowingly make any false statement, representation, record, report, plan, or other document filed with the Village. Any person who violates this provision shall be subject to the penalties imposed under Chapter 17.

**ARTICLE II.**  
**ADMINISTRATION AND ENFORCEMENT**

**Sec. 14-7. - Notice of violation and special order of remedy.**

Any person found in violation of this article or of any prohibition, limitation, or requirement contained herein, will be served by the Director of Public Works or designee with notice stating the nature of the violation and issuing a special order for the appropriate remedy thereof.

**Sec. 14-8. - Appeal to Public Works Committee for reconsideration.**

Any person who objects to any action or decision of the Director of Public Works or designee shall first appeal to the Public Works Committee for reconsideration.

- (1) A written notice of appeal shall be filed with the Village within 30 days of the date of the action or decision appealed from.
- (2) The notice of appeal shall state the action or decision of the Director of Public Works or its designate appealed from.
- (3) The Village shall schedule the appeal for consideration by the Committee at a meeting, open to the public, within 45 days of the filing of the notice of appeal. The Village shall send notice of the time scheduled for the consideration of the appeal to the appellant prior to the meeting.
- (4) Within 45 days of the appeal meeting, the Committee shall affirm, modify, or reverse the action or decision. Notice of the final decision of the Committee shall be sent to the appellant.

**Sec. 14-9. - Appeal to the Village Board.**

Any person who objects to any final decision of the Public Works Committee after appeal to the Public Works Committee may appeal to the Village Board.

- (1) A written notice of appeal shall be filed with the Village within 30 days of the date when notice of the final decision of the Committee is received.
- (2) The notice of appeal shall state the action of the Committee appealed from, shall specify the reasons stated by the Committee for taking such action, and shall specify why the appellant believes said action was inappropriate.

- (3) The Village shall file the notice of appeal with the Village Board and shall schedule the appeal for consideration by the Village Board at a meeting open to the public, within 45 days of the filing of the notice of appeal. The Village shall send notice of the time scheduled for the consideration of the appeal to the appellant prior to the meeting.
- (4) Within 45 days of the appeal hearing, the Village Board shall affirm, modify, or reverse the action of the Committee or shall refer the matter back to the Committee for further consideration. Notice of the decision of the Village Board shall be sent to the appellant and the Board.

Sec. 14-10. - Application of state law.

The provisions of Wis. Stats. Ch. 68 (municipal administrative procedure) shall not be applicable to any determination made pursuant to the provisions of this article.

Sec. 14-11. - Penalties for violations.

See Chapter 17 for penalties for any person who fails to comply with the provisions of this article or any rule, order issued pursuant thereto. In addition to said forfeiture, the remedial provisions of Wis. Stats. § 236.31 and Wis. Stats. Ch. 823 relating to public nuisances are incorporated and adopted herein by reference and shall be enforced when applicable.

Sec. 14-12. - Claims for damages.

- A. No person shall enter a claim for damage against the Village or the utility, or any officer or employee thereof, for damage to any pipe fixture or appurtenance 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, or for the extension, alteration, or repair of any water main on the premises' water supply or for the discontinuance of the premises' water supply or for the violation of any rules or regulations of the utility. No claims will be allowed against the Village or utility 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 claim shall be allowed for any damage caused by the breakage of any pipe or machinery.
- B. Owners or operators of motor vehicles or other equipment will be held for the cost of repair of any utility asset (including hydrants) damaged by being hit by a motor vehicle or other equipment and the utility will not be responsible for the damage to the motor vehicle or other equipment by reason of such accident.
- C. Contractors must ascertain for themselves the existence and location of all water mains, valves and service pipes. Where they are removed, cut or damaged during any construction the contractor must, at their own expense, cause them to be replaced or repaired at once, meeting the inspection and approval of the Village. They must not shut off the water service pipes from any consumer for a period exceeding six hours.

## **ARTICLE III.**

### **WATER CONNECTION**

Sec. 14-13. - Compulsory water connection; exception.

- A. Except as provided in subsection (b) of this section every owner of a parcel of land within the Village shall install, at owner's expense, and maintain suitable plumbing facilities and connect to Village owned water main within 90 days after the date of written notice by the Village Board.
- B. A private well operation permit shall be maintained for all private wells in the Village. Failure to maintain a current private well operation permit may result in the mandatory abandonment of the private well within 90-days of written notice by the Village Board. No connection shall be made between the private well and the Village potable water system whatsoever.

Sec. 14-14. - Application for water connection permit required.

Any person desiring to connect with the public water system shall apply in writing to the utility on a form furnished by the utility. The application shall be made by the owner or their representative and shall include a statement giving the exact location and use of the premises to be served, the name of the owner, the purpose for which the service is to be used, the date and time when the work is to be done, the size of the supply pipe and meter desired, and such other information as may be required by the utility. Any special refrigeration, air conditioning or other high water-consuming appliances shall be particularly noted on the application. The utility may deny any application where the required information is not provided.

Sec. 14-15. – Water connection permit requirements; pre-issuance inspection.

No work of laying the water lateral and/or water service pipe shall be commenced or continued without the required connection permit being on the premises. At the time of connecting, the water lateral and/or water service pipe to the meter setting shall be inspected by the Director of Public Works or their designate. Connection permits shall not be granted unless all of the following conditions are met:

- (1) The property owner agrees to install a water service pipe from the curb stop to the unit of service according to all utility specifications; and
- (2) The premises to be served will have adequate piping beyond the metering point.
- (3) All applicable permit and inspection fees have been paid.

Sec. 14-16. - Multi-unit dwellings.

- A. Multi-unit dwellings 15 units or less shall be served by individual metered water services to each unit. Each meter and meter connection shall be a separate customer for the purpose of the regulations. The owner of a Multi-unit dwelling of 15 units or less has the option of either installing individual water laterals to each unit or installing the building lateral to a master meter room where the interior plumbing and meter settings are located for all units. The owner, by selecting the latter option, is required to provide interior plumbing and meter setting to enable individual metered service to each unit and individual disconnection without affecting service to other units. An access agreement shall be recorded, granting the utility access to the

master meter room for maintenance of the meter and for disconnecting water services for nonpayment of utility bills.

B. Multi-unit dwellings 16 units or greater have the option of being served by individual metered water services to each unit or by one master meter for the entire dwelling. The owner shall meet the requirements set forth in this section if the Multi-unit dwelling will be served by individual metered water services.

Sec. 14-17. - Automatic fire sprinkler system plans required.

The owner of any building in which an automatic fire sprinkler system is required pursuant to the fire code, shall submit, prior to installation of such system, three sets of plans for review and approval by the Director of Building Services, Director of Public Works and by the North Shore Fire Department. Such private fire protection systems shall be unmetered and shall be charged at the rates established by the Village.

Sec. 14-18. - Separate metering of private lawn sprinkler systems.

No new separate metering of private lawn sprinkler systems will be allowed effective January 1, 2021.

Sec. 14-97. - Reconnection.

A reconnection charge in accordance with the Village fee schedule shall be required from customers whose services are disconnected because of nonpayment of bills when due, not including disconnection for failure to comply with deposit or guarantee rules. A customer shall be considered as the same customer provided the reconnection is requested for the same location by any occupant of the premises or, if a place of business, by any partner or employee of the same business. All requests for service discontinuance or reconnection for any reason shall be subject to all applicable Village fees.

Sec 14-19 - Temporary Connections

Application required. Any person desiring to connect to the utility water system on a temporary and limited basis shall make application to the utility for permission according to the following provisions of this subdivision.

Sec. 14-20. - Metered supply.

An applicant for temporary water supply on a metered basis shall obtain a permit from the utility and comply with the terms of the permit and be billed in accordance with the Village fee schedule.

Sec. 14-21. - Unmetered services.

A. Where a water meter cannot be installed immediately, service may be supplied temporarily on an unmetered basis upon written application to the utility. Such service shall be billed in accordance with the Village fee schedule.

B. When water is wanted on an unmetered basis for construction purposes, a written application shall be made to the utility. If the application is approved, payment for the water shall be made in accordance with the approved building and construction water service unmetered rate. For construction purposes, the water must be drawn from the service pipe which is carried inside the foundation wall. No connection with the service pipe at the curb shall be made. In no case

will any employee of the utility turn on water for construction work unless the contractor first presents a permit. Upon completion of the construction work, the contractor must return the original permit to the utility, together with a statement of the actual amount of construction work performed.

C. When water is wanted on an unmetered basis for isolated purposes such as filling swimming pools, tanks, etc..., written application therefor shall be made to the utility. If the application is approved, payment for the water shall be made in advance at the scheduled rates for general unmetered water service.

Sec. 14-22. - Hydrant connections.

In cases where no other supply is available, permission must be granted by the utility to connect to a hydrant utilizing a utility issued water meter only. In no case shall any hydrant or hydrant valve be operated except by a member of the utility. In the use of a fire hydrant supply, the hydrant valve will be set at the proper opening by the utility. When the applicant is finished using any hydrant, they shall return the meter to the utility. If the application is approved, payment for the water shall be made at the scheduled rates for general metered water service.

Sec. 14-23. - Deposits returned.

The Village may require a security deposit as a precondition for temporary connection to its water service or for use of Village equipment incident thereto. All monies deposited as security for payment of charges arising from the use of temporary water supply on a metered basis, shall be refunded to the applicant when the use of water has terminated, all charges have been paid, and all equipment and meters have been returned undamaged.

Sec. 14-24. - Water service laterals.

The owner or applicant shall install the water service lateral not less than six feet below the surface of an established or proposed grade at their own expense. Once installed and approved the Village shall be responsible for the complete operation, repair and maintenance of such water service lateral from the water main to and including the curb stop and stop box. Such initial installation by the owner or applicant shall be in accordance with the latest edition of the Village's and Wisconsin State standard specifications for public works construction and shall be subject to inspection and approval in accordance with the Village Code regulating the division and subdivision of land. A nonrefundable permit fee shall be paid upon filing the application in accordance with the Village fee schedule.

Sec. 14-25. - Water service pipes.

A. After the necessary application procedures are complete, the property owner shall install, own, operate, repair and maintain, at their sole expense, the water service pipe from the curb stop to the point of use in perpetuity. Such water service pipe shall be installed not less than six feet below the surface of an established or proposed grade and according to all specifications of the utility. In addition, special protective coverings may be required by the utility where soil conditions and other factors are conducive to premature failure of the service.

- B. The applicant's plumber shall be responsible for connecting said service pipe to the curb stop and service. No plumber shall cover or permit the covering of any water service pipe until the installation has been inspected and approved by the utility.
- C. Water service pipes shall be installed in accordance with Wis. Admin. Code Chs. COMM 81 through 86 (the State plumbing code).
- D. If the owner fails to repair a leaking or broken water service pipe from the curb stop to the point of metering or use within such time as may appear reasonable to the utility, after written notice, the water will be shut off and will not be turned on again until the repairs have been completed, per Public Service Commission regulations.

Sec. 14-26. - Size of water supply pipes.

All water services shall be of a Village approved size from the Village water 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.

Sec. 14-27. - Stop box and curb stop inspection.

The utility shall inspect the stop box and curb stop prior to setting of the water meter to ascertain any damages incurred during construction of improvements on a given lot. If at that inspection, or any prior inspection it is found that the stop box and curb stop have been damaged, they shall be repaired by the utility and the full cost of said repair shall be paid by the property owner in full. If not paid within 90 days, the cost of said repairs shall be placed on the tax roll as a special tax against the property.

Sec. 14-28. - Protective devices required.

- A. The owner or occupant of every premise receiving water supply shall apply and maintain suitable means of protection of the premises supply, and all appliances thereof, 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 or refrigeration systems by means of high pressure safety cutout devices. In addition, protection shall be provided by the owner or occupant against freezing and damage of the water service and meter.
- B. There shall likewise be provided means for the prevention of the transmission of water hammer or noise of operation of any valve or appliance through the piping of their own or adjacent premises.

Sec. 14-29. - Division of service prohibited.

- A. No division of the water service of 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.
- B. No division of a water supply service shall be made at the curb stop for separate supplies there from for two or more separate premises having frontage on any street or public service strip whether owned by the same or different parties.
- C. In cases of group or commercial venture housing where all buildings are under one ownership, a large service may be installed and separate service pipes installed by the owner to serve separate units. Each separate service pipe shall have a utility approved curb stop and a separate meter located between the large service and the building.

D. For new construction of group or commercial venture housing, master metering of groups of separated buildings shall not be allowed.

Sec. 14-30. - State plumbing regulations applicable.

Plumbing shall be designed, constructed and installed in accordance with the provisions of Wis. Admin. Code Ch. COMM 82 (design, construction, installation supervision and inspection of plumbing).

Section 14-31. - Meters

All new service connections to the water utility system shall be metered. Meters shall be provided, owned, maintained and tested by the utility and the utility reserves the right to specify at any time, the size of a meter required and the amount of open space necessary for access.

Sec. 14-32, - Customer's duties.

The customer shall, at their expense, provide a suitable location, access and the proper connections for the utility owned water meter. The applicant's plumber shall obtain the exact overall dimensions of the meter and shall set the couplings the proper distance apart to accommodate the meter. Upon presentation of credentials, a representative of the utility may request entry at any reasonable time to examine the water metering arrangement. If entry is refused, the representative shall obtain a special inspection warrant under Wis. Stats. § 66.0119. Upon request by a representative of the utility, the owner, lessee or occupant of any property so served shall furnish to the utility any pertinent information regarding the piping system or systems on the property if the information is known to the owner, lessee or occupant.

Sec. 14-33. - Location.

- A. All meters are to be located just inside of the wall at which the service pipe enters the building. The service will be flushed, the meter set, and the water turned on without extra cost to the customer. The water shall not be turned on for a customer except by the utility. The applicant plumber must leave the water turned off except to test their work. Any covering placed over a meter shall be easily removable. If electric ground wires are attached to the water piping, they shall be connected outside the unions on the inlet side of the meter.
- B. Water meters will not be located in any pit or well or below any stairway, landing or platform unless there is provided a space not less than four feet above and around three sides of the centerline of the water meter supply line.
- C. It shall be the duty of the customer to see that the Village employee does not have to cause inconvenience to the customer when reading or replacing meters. Connections for water meters shall not be installed in any location that is or may be unclean, unsanitary, inaccessible, or in any manner hazardous to utility employees.
- D. Access to all meters, valves, nipples and other fittings shall be provided in a common room such that walls, shelves, bookcases, storage areas, or partitions do not interfere with operation, inspection, installation and repair of a meter.

Sec. 14-34. - Sealing required.

All water meters installed by the utility shall be sealed; it is the responsibility of the customer that the seal remain intact. If it is necessary to break the seal, the utility shall be notified immediately.

Sec. 14-35. - Public Works installation standards applicable.

All connections to meters shall be constructed and installed in accordance with the Wisconsin Standard Specifications for Public Works Construction and with Wis. Admin. Code chs. COMM 81 through 86 (the state plumbing code).

Sec. 14-36. – Transponder / Remote Register.

At the time of setting the meter, the utility may install a transponder or remote register. Such transponders or remote registers shall be installed within ten feet of the meter or as close as practicable. The register or transponder shall be owned, provided, installed, maintained, tested and replaced by the utility.

Sec. 14-37. - Meter accuracy testing.

At the discretion of the Village, any meter may be removed and tested. If the meter is found recording fast in excess of Public Service Commission regulations, there will be an adjustment for past billings pursuant to Wis. Admin. Code §§ PSC 185.61 through 185.78.

Sec. 14-38. - Repair of meters.

Meters will be maintained and repaired by the utility with all costs of such repairs caused by ordinary wear and tear being borne by the utility. Repair of any damage to a meter resulting from the carelessness of the owner of the premises, their 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 injured from the presence of hot water or steam in the meter, shall be paid for by the customer or the owner of the premises.

Sec. 14-39. - Cross connections

In this section, the term "cross connection" means any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the Village water system, and the other, water from a private foreign source, water of unknown or questionable safety, or steam, gases, or chemicals, whereby upon loss of pressure or any pressure condition, there may be flow, be siphoned or pumped into the piping from of the one system into the utility water system.

Sec. 14-40. - Prohibited.

No person may establish or permit to be established or maintain or permit to be maintained any cross connection, either of a direct or indirect nature. No interconnection may be established whereby potable water from a private, auxiliary or emergency water supply, other than the regular public water supply of the Village, may enter the supply or distribution system of the Village, unless the private, auxiliary or emergency water supply

and the method of connection and use of the supply shall have been approved by the utility and by the state Department of Natural Resources under Wis. Admin. Code § NR 811.9(2).

Sec. 14-41. - Inspections.

- A. The utility shall cause periodic inspections to be made of all properties served by the public water system where cross connection with the public water system is deemed possible. The frequency of inspections and re-inspections shall be as established by the utility and as approved by the state Department of Natural Resources.
- B. Upon presentation of credentials, a representative of the utility may request entry at any reasonable time to examine for cross connections any property served by a connection to the Village's public water system. If entry is refused, the representative shall obtain a special inspection warrant under Wis. Stats. § 66.0119. Upon request by a representative of the utility, the owner, lessee or occupant of any property so served shall furnish to the utility any pertinent information regarding the piping system or systems on the property if the information is known to the owner, lessee or occupant.

Sec. 14-42. - Disconnection for violations; emergency disconnections.

- A. The utility is authorized and directed to discontinue water service to any property wherein any connection in violation of this section exists, and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water system. Except as provided in section 14-227, water service may be discontinued only after reasonable notice and opportunity for an appeal under the appropriate section. Water service to the property shall not be restored until the cross connection has been eliminated in compliance with this section.
- B. Emergency discontinuance of service. If it is determined by the utility that a cross connection or an emergency endangers public health, safety or welfare and requires immediate action, and a written finding to that effect is filed with the Village Director of Public Works and delivered to the customer's premises, service may be immediately discontinued or ordered disconnected. The customer shall have an opportunity for an appeal under this Chapter, if filed with the Village within ten days of such emergency discontinuance.

Sec. 14-43. - Plumbing codes / PSC regulations not superseded.

This section identifies that these Chapter 14 regulations do not supersede the State plumbing code, Village plumbing code or any Federal, State or Wisconsin Public Service Commission regulations but is supplementary to them.

Sec. 14-44. - Cross connection control policy.

The utility shall have a cross connection control policy in addition to this ordinance. This policy, and subsequent amendments, shall be reviewed and approved by the Village Board.

## **ARTICLE IV**

### **WATER MAIN EXTENSION**

Sec. 14-45. - Effect of frost or freezing weather on installation.

- A. Installation of water main extensions will not be allowed when the ground is frozen unless the applicant agrees to pay for additional cost involved. The utility shall determine when frost conditions are encountered and will notify the owner or their authorized agent in advance when such condition is in effect.
- B. Any street or public right-of-way in which a main, valve or hydrant is to be placed should be graded to an established grade elevation as set and approved by the Director of Public Works. Any additional costs incurred by the Village in installing a main, valve or hydrant in a street or public right-of-way that is not to grade will be charged to, and made a lien upon, the property fronting on said extension. The contractor shall be responsible for maintenance and repair of any main extension for a period of one year after completion and approval unless specific written agreements specify otherwise.

Sec. 14-46. - Application.

Application for installation of water mains in subdivisions or land division as defined in chapter 24 shall be filed in writing with the board. The application shall set forth at least the following:

- (1) Name and address of applicant;
- (2) Name of subdivision or land division;
- (3) Legal description of property;
- (4) Map showing streets, lots and sizes of proposed mains, valves and hydrants, and street laterals;
- (5) Date of approval of plat or certified survey by Village and department of commerce; and
- (6) Date of approval of proposed mains by Wisconsin department of natural resources.

Sec. 14-47. - Payment.

The installation of the water mains in new subdivisions or land divisions shall be made by the developer, or a contractor employed by the developer, all in accordance with the terms and provisions of the Whitefish Bay Municipal Code, relating to the division and subdivision of land. Plans and specifications for construction of the water main extension shall be submitted to the Director of Public Works for prior approval. The developer shall be responsible for the total cost of construction including any related review, inspection, administrative, engineering and legal fees incurred by the Village.

Sec. 14-48. - Water main oversizing costs.

Water mains greater than twelve inches in diameter, installed for the benefit of the entire water distribution system, shall be considered transmission mains. The utility shall pay the incremental material and installation costs for the difference between a twelve-inch diameter water main and the approved size of the transmission main installed. Where it is necessary to oversize a facility in order to meet the needs of a specific use or uses, the cost of the over sizing will be directly assessed against the specific benefited properties.

## **ARTICLE V. CHARGES, BILLING AND PAYMENT**

### **Sec. 14-49. - New residential service.**

The utility may require a cash deposit or other guarantee as a condition of new residential service if, and only if, the customer has an outstanding account balance with the utility which accrued within the last six years, and which, at the time of the request for new service, remains outstanding and not in dispute.

### **Sec. 14-50. - Existing residential service.**

The utility may require a cash deposit or other guarantee as a condition of continued service if, and only if, either or both the following circumstances apply:

- (1) Service has been shut off or discontinued within the last 12 months for violation of these rules and regulations or for nonpayment of a delinquent bill for service which is not in dispute.
- (2) Credit information obtained by the utility subsequent to the initial application indicates that the initial application for service was falsified or incomplete to the extent that a deposit would be required under these rules and regulations.

### **Sec. 14-51. - Commercial and industrial service.**

If the credit for an applicant for commercial or industrial service has not been established to the satisfaction of the utility, they shall be required to make a deposit or otherwise guarantee to the utility payment of bills for service.

### **Sec. 14-52. - Conditions of deposit.**

The provisions of Wis. Admin. Code § PSC 185.36(4) are incorporated and adopted herein by reference as conditions of deposit.

### **Sec. 14-53. - Refund of deposits.**

The utility shall review the payment record of each residential customer with a deposit on file at not less than 12-month intervals and shall not require or continue to require a deposit unless a deposit could be required under the conditions stated above. In the case of a commercial or industrial customer, the utility shall refund the deposit after 24 consecutive months of prompt payment if the customer's credit standing is satisfactory to the utility. Payment shall be considered prompt if it is made prior to notice of disconnection for nonpayment of a bill not in dispute. Any deposit or portion thereof refunded to a customer shall be refunded by check unless both the customer and the utility agree to credit the regular bill or unless service is terminated, in which case the deposit with accrued interest at the current legal rate shall be applied to the final bill and any balance returned to the customer promptly.

Sec. 14-54. - Other conditions.

A new or additional deposit may be required upon reasonable written notice of the need therefor if such new or additional deposit could have been required under the circumstances when the initial deposit was made. Service may be refused or disconnected for failure to pay a deposit request as provided in the rules. When service has been disconnected for failure to make a deposit, or for failure to pay a delinquent bill, or for failure to comply with the terms of a deferred payment agreement, and satisfactory arrangements have been made to have service restored, a reconnection charge shall be paid by the customer as a condition to restoration of service.

Sec. 14-55. - Guarantee contracts.

- A. The utility may accept, in lieu of a cash deposit, a contract signed by a guarantor satisfactory to the company, whereby payment of a specified sum not exceeding the cash deposit requirement is guaranteed. The term of a guarantee contract shall be two years, but shall automatically terminate after the customer has closed their account, or at the guarantor's request upon 30 days' written notice to the utility.
- B. Upon termination of a guarantee contract or whenever the utility deems same insufficient as to amount or surety, a cash deposit or a new or additional guarantee may be required upon reasonable written notice to the customer. Service to any customer who fails to comply with these requirements may be refused, or upon eight days' written notice, disconnected. The utility shall mail the guarantor copies of all disconnect notices sent to the customer whose account they have guaranteed unless the guarantor waives such notice in writing.
- C. In lieu of a cash deposit or guarantee, an applicant for new service who has an outstanding account accrued within the last six years with the utility shall have the right to receive service from the utility under a deferred payment agreement as provided in this section for the outstanding account balance.

Sec. 14-56. - General service charges, metered.

The water service charge to each unit of service shall consist of a minimum quarterly charge and a volume charge.

- (1) The minimum quarterly charges shall be in accordance with the Village fee schedule.
- (2) The volume charge to be added to the minimum quarterly charge shall be in accordance with the Village fee schedule.

Sec. 14-57. - Building and construction water service charges.

Metered service rates set forth above shall apply to all water service supplied during the building and construction period. Where service is furnished prior to meter installation the minimum quarterly charge will be applied at that time until permanent service is established.

Sec. 14-58. - General water service, unmetered.

Where the water meter cannot be installed immediately, service may be supplied temporarily on an unmetered basis. Such service shall be billed in accordance with the Village fee schedule.

Sec. 14-59. - Failure to read meters.

- A. Where the utility is unable to read a meter, the fact will be plainly indicated on the bill, and the minimum charge applied. The difference shall be 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.
- B. Only in unusual cases or where approval is obtained from the customer shall more than two consecutive estimated bills be rendered. If the meter is damaged or fails to operate, the bill will be based on the average use during a similar time the past year unless there is some reason why the use is not normal. Such average use shall be the average of the most comparable recent quarter. If the customer has been a customer for less than one year, then such average use shall be the average of the available consumption history.

Sec. 14-60. - Charges for water wasted due to leaks.

Water losses that occur on the premises, which are registered by the water meter, shall fully be the responsibility of the customer. It is the sole responsibility of the customer to prevent leakage in all piping and fixtures on the premises at and beyond the metering point. The utility shall inform each customer at least once each year that it is the sole responsibility of the customer to prevent leakage in all piping and fixtures on the premises at and beyond the metering point, and that any leaks or other losses of water, registered by the meter will be billed at the filed rates.

Sec. 14-61. - Public fire protection service.

Under Wis. Stats. § 196.03(3)(b), the Village has chosen to have the utility bill the retail general service customers for public fire protection service. This service shall include 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 shall also include water used for testing equipment and training personnel. For all other purposes, the metered or other rates set forth, or as may be filed with the Public Service Commission, shall apply.

Sec. 14-62. - Private fire protection service, unmetered.

- A. Private fire protection service shall consist of unmetered connections to the main for automatic sprinkler system, stand pipes (where same are connected permanently or continuously to the mains), and private hydrants. Quarterly demand charges for private fire protection service shall be in accordance with the rate schedule in the Village fee schedule.
- B. Billing procedures for private fire protection service shall be the same as for general service.
- C. Where a four-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 service. This small branch line shall be metered and the water use billed at the regular metered rate. The charge for private fire protection service will be that applicable to the size of connection to the main in accordance with the Village fee schedule. Where "X" equals the unmetered private fire protection quarterly charge applicable to the size of connection, and "Y" is the quarterly minimum charge for general service, the quarterly charge for private fire protection service shall be (X-.30Y).

Sec. 14-63. - Water service to public buildings.

- A. Water service supplied to governmental, public buildings, schools, etc., shall be metered and the regular service rates applied.
- B. Water used for other public purposes such as flushing sewers, street sweeping, flooding skating rinks, drinking fountains, filling swimming pools, etc., shall be metered where meters can be set to measure the service. Where it is impossible to measure the service, the gallons of water used shall be estimated based on the pressure, size of opening, and period of time water is allowed to flow. The estimated quantity shall be billed in accordance with the rate schedule the Village fee schedule.

Sec. 14-64. - Billing schedule.

Water bills are issued quarterly in January, April, July, and October by the 1<sup>st</sup> day of the month and are due and payable on the 20th day of that month.

Sec. 14-65. - Combined metering.

When a customer'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 properly connected by the customer, they may be metered in one place. In this case if the utility, for its own convenience, decides to install more than one meter, the readings will be cumulated for billing.

Sec. 14-66. - Meter reading.

Reading of utility meters take place quarterly in February, May, August, and November. Meter reading is performed by Water Utility crews or contractual.

Sec. 14-67. - Reasons for disconnection.

Service may be disconnected or refused for any of the following reasons:

- (1) Failure to pay a delinquent account or failure to comply with the terms of a deferred payment agreement.
- (2) Violation of the utility's rules and regulations pertaining to the use of service in a manner which interferes with the service of others or to the operation of nonstandard equipment, if the customer has first been notified and provided with reasonable opportunity to remedy the situation.
- (3) Failure to comply with deposit or guarantee.
- (4) Diversion of service around the meter.
- (5) A dangerous, unsafe or hazardous condition exists.

Sec. 14-68. - Disconnection for delinquent accounts.

- A. A bill for service is delinquent if unpaid after the due date shown on the bill. The utility may disconnect service for a delinquent bill by giving the customer a written disconnect notice at least eight calendar days prior to disconnection, which may be included with the bill for service. For purposes of this rule, the due date shall not be less than 21 days after issuance. A charge will be collected in advance before service is reconnected for a customer who has been disconnected for nonpayment in accordance with the Village fee schedule.

- B. The utility may disconnect without notice where a dangerous, unsafe or hazardous condition exists for as long as the condition exists. Service may be denied to any customer for failure to comply with the applicable requirements of the rules and regulations of the Public Service Commission or of these rules and regulations, or if a dangerous, unsafe or hazardous condition exists on the customer's premises.
- C. If the customer or responsible person has made a written request for this disconnection, the utility shall apprise customers of this right upon application for service. If service to a residential customer which has been disconnected has not been restored within 24 hours after disconnection, the utility shall notify the Village Police Department along with the local Health Department of the billing name and service address and that a threat to health and life might exist to persons occupying the premises.

**Sec. 14-69. - Dispute procedures.**

- A. Whenever the customer advises the utility prior to the disconnection of service that all or part of any billing as rendered is in dispute, the utility shall investigate the dispute promptly and completely, advise the customer of the results of the investigation, attempt to resolve the dispute, and provide the opportunity for the customer to enter into a deferred payment agreement when applicable in order to settle the dispute.
- B. After the customer has pursued the available remedies with the utility, they may request that the Public Service Commission's staff informally review the disputed issue and recommend terms of settlement.
- C. Any party to the dispute after informal review may also make a written request for a formal review by the Village Public Works Committee. If the Public Works Committee decides to conduct a formal meeting on the dispute, the customer shall pay 100 percent of the bill in dispute or post a bond for that amount on or before the meeting date. Failure to pay the amount or post the bond will constitute a waiver of the right to a meeting.
- D. Service shall not be disconnected because of any disputed matter while the disputed matter is being pursued under the dispute procedure. In no way does this relieve the customer from the obligation of paying charges which are not disputed.

**Sec. 14-70. - Form of disconnection notice.**

The form of disconnection notice shall be in accordance with the rules of the Public Service Commission.

**Sec. 14-71. - Reconnection charges.**

No reconnection charge will be applied to the customer if disconnection occurred solely because of general operation and was in no way a result of circumstances specific to the customer or property involved.

**Sec. 14-72. - Deferred payment agreement.**

- A. The utility shall offer deferred payment agreements to residential customers. The deferred payment agreement shall provide that service will not be discontinued for the outstanding bill if the customer pays a stated reasonable amount of the outstanding bill and agrees to pay a stated reasonable portion of the remaining outstanding balance in installments until the bill is paid. In determining what amounts are "reasonable," the utility shall consider the:
  - (1) Size of the delinquent account.

- (2) Customer's ability to pay.
- (3) Customer's payment history.
- (4) Time that the debt has been outstanding.
- (5) Reasons why the debt has been outstanding.
- (6) Any other relevant factors concerning the circumstances of the customer.

B. In the Deferred Payment Agreement, it shall state immediately preceding the space provided for the customer's signature and in bold face print at least two sizes larger than any other used thereon, the following:

IF YOU ARE NOT SATISFIED WITH THIS AGREEMENT, DO NOT SIGN. IF YOU DO SIGN THIS AGREEMENT YOU GIVE UP YOUR RIGHT TO DISPUTE THE AMOUNT DUE UNDER THE AGREEMENT EXCEPT FOR THE UTILITY'S FAILURE OR REFUSAL TO FOLLOW THE TERMS OF THIS AGREEMENT.

- C. A delinquent amount, including late payment charges covered by a deferred payment agreement, shall not be subject to an additional late payment charge if the customer meets the payment schedule, including the current bill required by the agreement. A deferred payment agreement shall not include a finance charge.
- D. If an applicant for service has not fulfilled the terms of a deferred payment agreement, the utility shall have the right to disconnect service or refuse service in accordance with these rules. Under such circumstances, it shall not be required to offer subsequent negotiations of a deferred payment agreement prior to disconnection.
- E. Any payments made by the customer in compliance with a deferred payment agreement, or otherwise, shall be first considered made in payment of the previous account balance with any remainder credited to the current bill.

Sec. 14-73. - Penalties for nonpayment and collection of unpaid bills.

A late payment charge of one percent per month compounded monthly will be added to bills not paid within 21 days after issuance or by due date, whichever is later. All unpaid bills for water service which are due and outstanding as unpaid bills for water service which are due and outstanding as of October 15 shall be collected by the Village Finance Director in the manner provided by Wis. Stats. § 66.0809. The additional penalty provided by Wis. Stats. § 66.0809 shall apply to any delinquent amount due.

## **ARTICLE VI.**

### **WATER USE REGULATIONS**

Sec. 14-74. - Operation and opening of Village valves and hydrants prohibited.

No person shall, without authority of the Director of Public Works or designee, operate any valve connected with the utility water distribution system, or open or operate any fire hydrants connected with the distribution system, except for the purpose of extinguishing a fire, or shall wantonly damage or impair the same.

Sec. 14-75. - Protection and maintenance of stop boxes required; responsibility for leaks.

The customer shall protect the stop box in their terrace and shall keep the same free from dirt and other obstructions. The utility shall not be liable for failure to locate the stop box and shut off the water in case of a leak on a customer's premises.

Sec. 14-76. - Thawing of frozen services.

- A. Frozen services under the responsibility of the Village shall be thawed out by and at the expense of the utility except where the freezing was caused by contributory fault or negligence on the part of the customer such as reduction of the grade or undue exposure of the piping in the building or on customers' property, or failure to comply with utility specifications and requirements as to depth of service, lack of sufficient backfill, etc.
- B. Following the freezing of a service, the utility shall take such steps and issue such instructions as may be necessary to prevent the refreezing of the same service. In case it is necessary to allow the water to flow to prevent refreezing, the customer shall make provision for proper disposal of the waste water. For the period in which the water is allowed to run, the customer's bill shall be adjusted for the consumption exceeding the customer's average consumption.

Sec. 14-77. - Inspection.

During reasonable hours the utility shall have the right of access on and into the premises supplied with service, for the purpose of inspection or for the enforcement of this division and the requirements of the State Public Service Commission.

Sec. 14-78. - Notice of intent to vacate required.

When premises are to be vacated, including the removal of heat from around the meter, the utility shall be notified in writing at once, so that it may remove the meter and shut off the supply at the stop box. The owner of the premises shall be liable to prosecution for any damage to the property of the utility (including the meter) by reason of failure to notify the utility.

Sec. 14-79. - Interruptions in service.

The utility reserves the right to shut off the water in the mains temporarily, to make repairs, alterations or additions to the plant or system. Except in case of emergency repairs, whenever possible, the utility shall give notification, by Village website, social media platforms, individual notices, etc.... or otherwise, of the interruption of service. No rebate or credit will be allowed to customers for such temporary suspension of supply.

Sec. 14-80. - Surreptitious use of water.

When the utility has reasonable evidence that a customer is obtaining their supply of water, in whole or in part, by means of devices or methods used to stop or interfere with the proper metering of the water being delivered to their equipment and premise, the utility reserves the right to estimate and present immediately a bill for unmetered water use as a result of such interference and such bill shall be payable subject to a 24-hour disconnection of service. When the utility has disconnected the customer for any such reason, the utility will reconnect the customer upon the following conditions:

- (1) The customer will be required to deposit with the utility an amount sufficient to guarantee the payment of the customer's bills for utility service to the utility.
- (2) The customer will be required to pay the utility for any and all damages to its equipment on the customer's premises due to such stoppage or interference with its metering.
- (3) The customer must further agree to comply with reasonable requirements to protect the utility against further losses.

Section 14- 81 Water warning declaration and criteria.

- A. The Village President may impose a water warning under the criteria set forth in this section. Such a water warning shall continue until it is determined by the Village President that it is no longer necessary in order to avoid undue stress upon the resources and reserve capital of the Village.
- B. Under a water warning the utility is urging all customers to implement voluntary lawn watering restrictions, in addition to reducing residential water uses such as washing machines, dishwashers, car washing, etc.
- C. A water warning shall be declared when necessary to maintain water pumpage below a preset daily total amount, or to maintain demand on the system below a preset level, or to comply with an electrical utility request for voluntary cutback in peak load electrical usage. In addition a water warning may be implemented to assist in the reduction of sanitary sewer system backups.
- D. Criteria to be considered for a water warning shall be:
  - (1) To avoid sustained low pressure;
  - (2) To maintain reservoir levels above preset fire reserve limits as determined by the utility;
  - (3) To compensate for a loss of all or a portion of water tower storage;
  - (4) To maintain or preserve adequate capacity at the water treatment facility; or
  - (5) To minimize surcharges to the Village sanitary sewer system.
- E. The Village President, upon the recommendation of the Director of Public Works, may impose a water warning under the criteria set forth above. Such a water warning shall continue until it is determined that it is no longer necessary in order to maintain a sustainable water system. Notice of a water warning shall be given to the Village Board and major news media that serve the Village as well as other social media platforms.

Sec. 14-82. - Water emergency declaration and criteria.

- A. The Village President, upon the recommendation of the Director of Public Works, may impose a water emergency under the criteria set forth in subsection B of this section. Such a water emergency shall continue until it is determined that the health and safety of the public will not

be compromised. Under a water emergency the Village President is authorized to implement mandatory restrictions on any water uses of one or more classes of water users, wholly or in part. Under a water emergency nothing shall limit the ability of the Village President to terminate the supply of water to any or all customers upon the determination of the Director of Public Works that an emergency termination of water service is required to protect the health and safety of the public. Notice of a water emergency shall be given to the Village Board and major news media that serve the Village as well as other social media platforms.

B. Criteria to be considered for a water emergency shall be:

- (1) To avoid, mitigate, or abate imminent threats to public health and safety; or
- (2) To avoid, mitigate, or abate imminent threats to the function of the water system.

Sec. 14-83. - Penalties.

Any person who violates any mandatory restriction on water usage issued pursuant to this section or fails to comply with any of its requirements chapter shall be subject to a penalty as provided in §17 of this code, in addition to the specific penalties provided in this chapter. A separate offense shall be deemed committed on each day on which a violation of this chapter occurs or continues.

Section Two: All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby and to such extent repealed.

Section Three: This ordinance shall take effect and be in force from and after its passage and posting.

PASSED AND ADOPTED by the Village Board of Trustees of the Village of Whitefish Bay this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

VILLAGE OF WHITEFISH BAY

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Julie Siegel, Village President

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Jaime Krueger, Village Clerk

STATE OF WISCONSIN  
MILWAUKEE COUNTY  
VILLAGE OF WHITEFISH BAY

ORDINANCE NO: 1878

**An Ordinance to Create Chapter 20 of the Municipal Code  
With Regard to Plumbing**

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The Village Board of the Village of Whitefish Bay, Milwaukee County, Wisconsin does ordain as follows:

Section One: Chapter 20 of the Municipal Code is hereby created to read as follows:

**ARTICLE I GENERAL**

**20-1 PURPOSE**

- A. This Chapter is the Village of Whitefish Bay Plumbing Code, which Code applies to and governs all plumbing installations and used to promote the public health, safety, and general welfare of the citizens of the Village of Whitefish Bay, Wisconsin.
- B. This Chapter shall supersede any previous Village ordinance, rules or regulations and shall repeal all parts thereof that may be inconsistent with this Chapter. If there is any conflict between this Chapter and any applicable statute, the state statute shall be controlling.

**20-2 ADOPTION OF LAWS AND RULES**

- A. The materials, design, construction, reconstruction, installation, and alteration of all plumbing, piping and drainage shall conform to the Wisconsin Administrative Code. Except as otherwise provided in this Chapter, the Village of Whitefish Bay adopts Wisconsin Statue (Wis. Stat.) §145 and §147, The Wisconsin Administrative Code SPS 302 and 305, The Uniform Dwelling Code Chapters SPS 320-325, Commercial Building Code SPS 361-366 and the Wisconsin State Plumbing Code (State Plumbing Code) SPS 381-387, and the Milwaukee Metropolitan Sewerage District (MMSD) Rules.

**20-3 DEFINITIONS**

**Board of Appeals**

Reviews requests for zoning code variances in addition to appeals of administrative decisions made by the Village of Whitefish Bay officials.

**Building**

A structure for support, shelter or enclosure of persons or property

**Building Drain**

The horizontal private building piping within or under a building, installed below the lowest fixture or the lowest flow level from which fixtures can drain by gravity to the private sanitary sewer lateral

**Downspout or roof drain**

The piping to carry rainwater from a roof to ground or storm sewer.

**MMSD**

Milwaukee Metropolitan Sewerage District that receives the conveyed wastewater flows from the Village publicly owned sanitary sewer system.

**Master Plumber**

A licensed person who is responsible for the installation or modification of plumbing.

**Plumbing**

For the purpose of this code and as defined in the Wis. Stat. 145 plumbing is all piping, fixtures, pipe fitting, appliances, devices and appurtenances in connection with water and wastewater drainage systems. This includes the construction, connection, installation, service or repair of the piping systems.

**Private Sanitary Sewer Lateral**

The section of private sanitary sewer pipe that carries wastewater and liquid waste from the building drain to the Village sanitary sewer main. The defined limits are from the building drain to and including the connection to the Village sanitary sewer main. Also defined as building sewer by the State Plumbing Code.

**Right-of-Way (ROW)**

The Village property owned by the Village typically aligned with street or alley infrastructure.

**Sanitary Sewer Main**

The publicly owned sanitary sewer piping system that receives and conveys flows of wastewater, sewage and liquid waste from the private sanitary sewer laterals. Also referred to as Village Public Sanitary Sewer Main.

**Sanitary Sewer System**

The Village structures, conduits, and sanitary sewer mains by which wastewater is collected, treated and disposed of, except plumbing inside and in connection with buildings service and private sanitary sewer laterals.

**Sanitary Sewer Overflow (SSO)**

A release of untreated or partially treated wastewater from a municipal sanitary sewer system.

**State Plumbing Code**

The Wisconsin Administrative Code Chapters that are applicable to plumbing code SPS 381-387.

**Storm Sewer**

A drain or storm sewer for conveying surface water, groundwater, subsurface water or unpolluted water from any source.

**Village**

The Village of Whitefish Bay, Wisconsin.

**Village Public Sewer**

The publicly owned sanitary sewer piping system see also Sanitary Sewer Main.

**Wastewater**

All wastewater whether treated or untreated discharged into or permitted to enter the sanitary sewer system

**Wisconsin Administrative Code**

The Wisconsin administrative rules and have the force of the law via the authority that comes from statutes and the Wisconsin Constitution.

**Wisconsin Statute (Wis. Stat.)**

A compilation of the general laws of the state of Wisconsin currently in effect.

## **20-4 MANAGEMENT AND OPERATION**

- A. The Director of Building Services shall have the general management, operation, and responsibility for the plumbing and plumbing installations including permitting, installation, and inspection. Except where otherwise provided in this code the management, operation, and responsibility of private sanitary sewer lateral for the Village is vested in the Director of Public Works or designated representative.

## **20-5 RIGHT OF ENTRY**

- A. The Village authorized representatives shall be permitted to gain access to all properties, at reasonable hours of the day, to enter the premises or buildings to ensure code compliance. In the event of withdrawal of consent, the Village may terminate sanitary sewer and water services.

## **20-6 PLUMBERS**

- A. No plumber or pipefitter will be permitted to do any plumbing or pipe fitting work in connection with the sanitary sewer system and plumbing and drainage without first receiving a license from the State of Wisconsin with the exception as defined in § 20-8.

## **20-7 PLUMBING PERMITS**

- A. A plumbing permit is required for any plumbing work performed and permits must be obtained prior to performing any work. Exceptions to the permit requirements are as followed:
  - (1) Emergency work requires a permit however the permit does not need to be obtained prior to performing any work. Notification of the emergency work must occur prior to performing any emergency work. All emergency work shall be reported to either the Director of Public Works or Director of Building Services depending upon the responsibility. All work shall be done in accordance with the State Plumbing Code.
  - (2) Routine maintenance of private sanitary sewer lateral as defined in this Chapter does not need a plumbing permit.
- B. Permit fees are established on a regular basis and are included in the plumbing permit. Permits shall be granted or denied in writing by the Director of Building Services in accordance with the plumbing permit.

## **20-8 PLUMBING FIXTURES**

- A. Pursuant to Wis. Stat 145.06 a property owner and occupant of a single-family dwelling may obtain a permit for the replacement or repair, in the same location, plumbing fixtures such as a dishwasher, disposal, sink, tub, water closet (toilet), vacuum breaker or component parts. All work shall be performed in accordance with the State Plumbing Code.
- B. The requirement that permittees be licensed master plumbers shall not apply to the installation of ASSE 1011 devices in commercial properties, where the work is conducted pursuant to the issuance of a cross-connection repair order from the Plumbing Inspector.

## 20-9 DOWNSPOUT DISCHARGE

- A. Downspouts (roof drains) shall not be connected to the sanitary sewer system in accordance with State Plumbing Code and MMSD rules. See §20-25.
- B. Permits are required to disconnect downspouts.
- C. Roof drain sewer pipes shall be capped below the ground by an approved method by the Department of Public Works to prevent water from entering the sanitary sewer system.
- D. Downspout and sump pump discharges shall be to a point no less than six (6) feet from the foundation walls to direct flow away from the foundation. The discharge shall be at least six (6) feet from the property line unless directed by the Village. The drainage shall not drain onto or impact adjacent property owners.

## 20-10 AUTHORITY TO STOP WORK

- A. Whenever any construction regulated by this Chapter is being or has been done contrary to the requirements of this Chapter, the Director of Public Works or the Director Building Services or the authorized representatives, may order all work stopped on that portion of the installation on which violation has occurred and to order removal or correction on which the violation has occurred. No person shall do any work on any portion of the installation after a stop order has been issued.

# ARTICLE II PRIVATE SANITARY SEWER LATERAL

## 20-11 PRIVATE SANITARY SEWER LATERAL – MANDATORY CONNECTION

- A. Every building in which building drains and plumbing fixtures are installed shall install, operate, and maintain an individual private sanitary sewer lateral connected to the Village sanitary sewer main in conformance with the Municipal Code.
- B. To assure preservation of public health, comfort, and safety, the owner of any houses, buildings or properties used for human occupancy, employment, recreation or other habitations, situated within the Village and adjacent to a Village public sanitary sewer main or in a block through which the sanitary sewer main extends, is hereby required at the property owners expense to install suitable toilet facilities and fixtures therein, and to connect such facilities to an individual private sanitary sewer lateral.

## 20-12 PRIVATE SANITARY SEWER LATERAL PERMIT

- A. No authorized person shall uncover, make any connections with or opening into, use alter or disturb any Village public sanitary sewer main without first obtaining the appropriate permits from the Village. Permit fees for new sanitary sewer connections and private sanitary sewer lateral repair, replacement or abandonment shall be set forth by the master fee schedule approved by the Village Board.
- B. A permit is not required for private sanitary sewer lateral routine maintenance. A right-of-way permit shall be required if the work performed is in the Village right-of-way.
- C. The Director of Building Services or an authorized representative may revoke the permit for noncompliance with any applicable laws, regulations or field directives.
- D. Any connections to the Village publicly owned sanitary sewer system without a permit will be subject to a penalty for each offense as defined in § 17.

**20-13 PRIVATE SANITARY SEWER LATERAL STANDARDS, DESIGN, AND MATERIALS FOR CONSTRUCTION**

- A. All private sanitary sewer laterals standards, design, and materials for construction, repair or replacement shall conform to State Plumbing Code and the Standard Specifications for Sewer and Water Construction in Wisconsin latest edition.
- B. All aspects of the private sanitary sewer lateral design and installation, including but not limited to the size, slope, and alignment, the method of excavation, placing of the pipe, testing of the private sanitary sewer lateral and backfill the trench shall be in conformance with the State Plumbing Code and this Chapter.
- C. All materials not in conformance with the State Plumbing Code shall be removed and replaced with the acceptable materials.

**20-14 PRIVATE SANITARY SEWER LATERAL INSTALLATION**

- A. No person except the Village or its designated agents or contractors will be permitted under any circumstances to connect or tap to Village sanitary sewer mains. Private sanitary sewer lateral connections cannot be within six inches of the joint or within 24 inches of another lateral connection. All private sanitary sewer lateral connections to the Village sanitary sewer mains must comply with the State Plumbing Code and the Standard Specifications for Sewer and Water Construction in Wisconsin latest edition.
- B. Any connection of a new private sanitary sewer lateral to the Village sanitary sewer main or any sanitary sewer lateral installation shall be inspected by the Director of Public Works or authorized representative prior to the actual connection completion to ensure the proper design, materials, and methods are in compliance with this Chapter. The cost of repairing any unauthorized or non-conforming connections to the sanitary sewer main shall be the responsibility of the property owner to which such connection serves.
- C. All private sanitary sewer lateral connections not immediately connected to the sanitary sewer main shall be securely closed to prevent debris entering the sanitary sewer main and private sanitary sewer lateral.
- D. All sanitary sewer lateral installation not in conformance with the State Plumbing Code or this section must be re-installed.
- E. All sanitary sewer laterals shall have a tracer wire installed for future locates or using global positioning system (GPS) coordinates consistent with the Village requirements.
- F. All applicable excavations shall be in accordance with Street and Right-of-Way (ROW) Permits.
- G. No work can be performed during freezing weather without the approval of the Director of Public Works or authorized representative.
- H. All work shall be properly documented in accordance with the Village requirements.
- I. All work performed is to be at the expense of the property owner.

**20-15 STREET AND RIGHT-OF-WAY (ROW) EXCAVATIONS**

- A. All work performed in the Street and Right of Way (ROW) must have a Village issued ROW Permit to perform the work. All work shall be inspected and approved by the Village in accordance with Village standards.

- B. All fees shall be in accordance with the Fee Schedule as set forth by the Village Board.
- C. All work in replacing surface (pavement) materials shall be in compliance with State of Wisconsin Department of Transportation (DOT) Construction and Materials Manual latest edition and Village Standards.
- D. All work performed shall comply with the following:
  - (1) Prior to working in the street or ROW, the Director of Public Works or authorized representative must be notified 24 hours in advance.
  - (2) When opening any surface (paved or unpaved), all materials shall be removed with the least possible loss of surface material.
  - (3) All materials including the excavated materials shall be placed to minimize impact to the public and to allow a free passage or water or stormwater to the stormwater system including catch basins, curbs, and gutters. Any materials accumulated during construction shall be removed by the Contractor upon completion of the installation in the street
  - (4) All excavation work and trenches shall comply with OSHA safety standards.
  - (5) The backfill must be slurry, jetted, or mechanically compacted in two (2) foot lifts to prevent any settling. No spoil material can be returned to the trench without authorization from the Village.
  - (6) Any work performed during freezing weather must be approved in advance by the Director of Public Works or designated representative.
  - (7) All restoration in unpaved areas must be restored to the contract specifications or to its original state
  - (8) All open excavations must be properly barricaded with operating lights and covered to protect the public and in accordance with Village requirements. All necessary precautions shall be taken to ensure the safety of workers, Village employees, and the public. Contractors and Plumbers shall be held liable for all damages including cost incurred by the Village of Whitefish Bay.

#### **20-16 ABANDONMENT OF PRIVATE SANITARY SEWER LATERALS**

- A. An existing private sanitary sewer lateral or its connection which is to be abandoned shall be removed at the Village sanitary sewer and shall be sealed with a permanent, watertight plug at the connection to the sanitary sewer main at the Department of Public Works approved location in a manner approved by the Director of Public Works.
- B. All abandonments must be inspected by the Director of Public Works or authorized representative prior to final abandonment.

#### **20-17 EMERGENCY WORK BY THE VILLAGE**

- A. Whenever public health, safety, or welfare shall require that repairs or protective measures to a private sanitary sewer lateral be made or instituted immediately, the Director of Public Works or authorized representative is authorized to proceed with all necessary work to abate the condition and may enter private property for such purposes.
- B. All work required to mitigate the problem shall be at the expense of the property owner.

- C. All work necessary to mitigate the condition including necessary barricades, warning lights, and other protective devices may be erected on public or private property.

## **20-18 PRIVATE SANITARY SEWER LATERAL MAINTENANCE**

- A. It shall be the responsibility of the property owner to perform all required maintenance, repairs, and inspections to keep the private sanitary sewer lateral all the way to the public sanitary sewer main in the condition as outlined in this section.
- B. The private sanitary sewer lateral shall be maintained to meet the following minimum requirements:
  - (1) Sanitary sewer lateral shall be kept free from roots, grease deposits, and other solids that may impede the flow or obstruct the transmission of waste.
  - (2) All joints shall be tight and all lateral pipes shall be sound to prevent exfiltration by wastewater or infiltration by groundwater or stormwater.
  - (3) The private sanitary sewer lateral shall be free of any structural defects, cracks, breaks, or missing portions, and the grade shall be uniform without sags or offsets. The lateral shall not have any breaks or openings.
  - (4) Area drains, prohibited foundation drains as defined in §20.25, roof leaders, sump pumps, and other direct connections that allow stormwater or groundwater into the private sanitary sewer lateral are prohibited as defined by the State Plumbing Code.
  - (5) The private sanitary sewer lateral shall be free of any material that obstructs or prevents the effective maintenance or normal operation of the private sanitary sewer lateral or sanitary sewer mains.
  - (6) All cleanouts shall always be secured with an approved cap, except during maintenance activities.
- C. Sanitary Sewer Use Regulations and Prohibited Discharges are outlined in the Municipal Code.
- E. No person shall intentionally, willfully or maliciously injure or obstruct any sanitary sewer main, private sanitary sewer lateral, building drains, or any plumbing fixture or apparatus, pipe or other parts of any plumbing in actual use or any sanitary sewer main in the Village.
- F. Any major building permits may, at the time of review and approval of the Director of Public Works, require a new private sanitary sewer lateral to be installed.
- G. All private sanitary sewer laterals that are found with defects are the responsibility of the property owner and shall be corrected by the property owner at their cost.
- H. If an unsanitary condition exists, the Director of Public Works shall require the property owner to remedy the unsanitary conditions. In the event, that the unsanitary conditions are not remedied, the Village shall correct the violation and charge the property owner for the work completed.

## **ARTICLE III BUILDING DRAINS AND PLUMBING**

### **20-19 PLUMBING INSTALLATION**

- A. All building drains, vents, plumbing, and fixtures design, materials, and installation must comply with the State Plumbing Code.

**20-20 PERMITS**

- A. No authorized person shall perform any plumbing without first obtaining the appropriate permits from the Village. Permit fees shall be set forth by the master fee schedule approved by the Village Board.

**20-21 SANITARY AND STORM SEWER CONNECTIONS**

- A. All sanitary sewer connections to the storm sewer system are prohibited.
- B. All storm sewer connections to the sanitary sewer system are prohibited.

**20-22 PLUMBING RESPONSIBILITY**

- A. All plumbing systems, both existing and new, and all parts therefor shall be maintained in a safe and sanitary condition by the property owner.
- B. If the plumbing in any building does not meet the State Plumbing Code or is a threat to human health, the Director of Building Services or authorized representative shall require the plumbing installation to be corrected to meet the State Plumbing Code.

**20-23 PLUMBING INSPECTIONS**

- A. All work shall be inspected by the Director of Building Services or authorized representative prior to acceptance of the work. Any plumbing work performed without a permit will be subject to a penalty for each offense as defined in § 17.

**ARTICLE IV SANITARY SEWER CONNECTION PROHIBITED**

**20-24 PURPOSE**

- A. The sanitary sewers in the Village were designed to only convey wastewater. The sanitary sewers were not designed to and do not have the capacity to convey clear water entering the sanitary sewer system. Clear water can enter the sanitary sewer system via direct prohibited connections (such as downspouts or foundation drains) or from clear water entering the sanitary sewer system from rainfall or snow melts. The purpose of this article is to minimize basement backups and sanitary sewer overflows (SSOs).

**20-25 CONNECTIONS PROHIBITED**

- A. The connection of foundation drains or footing tiles to the sanitary sewer or private sanitary sewer lateral is prohibited, except when the connection was made pursuant to a building permit issued prior to February 16<sup>th</sup>, 1953, and no modifications were made affecting the footing tile or foundation after February 16<sup>th</sup>, 1953.
- B. Any connection of downspouts, yard drains or sump pumps to the sanitary sewer or private sanitary sewer lateral is prohibited, regardless of the date of construction or installation, and any such connection shall be disconnected.

**20-26 PROHIBITED CONNECTION INSPECTIONS**

- A. An inspection to determine compliance with prohibited connections § 20-25 shall be conducted in the following instances:
  - (1) Whenever an interior inspection is made in connection with a building, plumbing, or electrical permit or a water meter repair or replacement.

- (2) Whenever the Director of Public Works or Director of Building Services has evidence of a prohibited connection to the sanitary sewer.
- (3) Whenever the Director of Public Works or Director of Building Services determines that abnormally high wastewater flows have been detected in the publicly owned sanitary sewer main serving the property, and the Director of Public Works or Director of Building Services have reasonable grounds to believe that the flow may have been caused by a prohibited connection in the property.
- (4) Upon receipt of a complaint to the Director of Public Works or Director of Building Services of an alleged violation of this article.

## **20-27 NONCOMPLIANCE**

- A. If an inspection discloses noncompliance with this article, a noncompliance notice shall be issued by the Director of Building Services setting forth the areas of noncompliance and stating that the building shall be brought into compliance.
- B. Connections from prohibited foundation drains and yard drains shall be brought into compliance within 60 days of said notice.
- C. Connections from downspouts and sump pumps shall be brought into compliance within 60 days of such notice.
- D. Failure to bring the property into compliance within the appropriate time period shall be a violation of this article.

## **20-28 SPECIAL INSPECTION WARRANT**

- A. In the event an inspection of any building is to be made pursuant of the provisions of this article, and permission is not voluntarily given to the Director of Building Services or authorized representatives to make such inspection, the Director of Building Services may apply for and obtain a special inspection warrant to make such inspection, as provided by § 66.0119, Wis. Stats.

## **20-29 APPEAL**

- A. Any owner or occupant or proposed new occupant of premises feeling aggrieved by the issuance of a noncompliance notice may appeal to the Board of Appeals.

# **ARTICLE V COMPLIANCE**

## **20-30 REMEDIAL WORK**

- A. Any person who shall violate any provision of this Chapter shall be subject to a penalty as provided in §17 of this code, in addition to the specific penalties provided in this Chapter. A separate offense shall be deemed committed on each day on which a violation of this Chapter occurs or continues.
- B. As a further remedy for violation, any provision of this Chapter, the Village Board authorized representative may take such remedial action on the property as is necessary to remedy any such violation and authorizes the Village Finance Director to place the cost of such work, including all remedial and direct and indirect costs on the property tax bills for the property in question as a special charge for current services pursuant to § 66.0627 Wis. Stats.

Section Two: Severability: In the event that any provision of this Ordinance is for any reason held to be invalid, unconstitutional, or unenforceable by any court of competent jurisdiction, such portions of this Ordinance shall be deemed separate, distinct and independent provisions of the Ordinance and all remaining portions of this Ordinance shall remain in full force and effect.

Section Three: All ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby to such extent repealed.

Section Four: This ordinance shall take effect and be in force after its passage and posting pursuant to law.

PASSED AND ADOPTED by the Village Board of Trustees of the Village of Whitefish Bay this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

VILLAGE OF WHITEFISH BAY

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Julie Siegel, Village President

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Jaimie Krueger, Village Clerk

STATE OF WISCONSIN  
MILWAUKEE COUNTY  
VILLAGE OF WHITEFISH BAY

ORDINANCE NO: 1879

**An Ordinance to Create Chapter 21 of the Municipal Code  
(Sanitary Sewer Code)**

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The Village Board of the Village of Whitefish Bay, Milwaukee County, Wisconsin does ordain as follows:

Section One: Chapter 21 of the Municipal Code is hereby created to read as follows:

**Chapter 21 Sanitary Sewer Code**

**ARTICLE I INTRODUCTION AND GENERAL PROVISIONS**

**21-1 PURPOSE**

- A. The provisions of this Chapter shall govern the use of private and public sanitary sewers and the discharge of wastewater into the public (Village) sanitary sewer system within the Village of Whitefish Bay, Milwaukee County, Wisconsin.
- B. This Chapter provides a means for determining wastewater volumes, constituents, and characteristics, the setting of charges and fees, and the issuing of permits to users. Revenues derived from the application of this Chapter shall be used to defray the costs of operating and maintaining the wastewater collection system, paying for wastewater treatment costs and providing for sufficient funds for capital improvements and debt service costs. The charges and fees herein have been established pursuant to requirements of the Wisconsin Statutes. This Chapter shall supersede any previous Village ordinance, rules or regulations and shall repeal all parts thereof that may be inconsistent with this Chapter. If there is any conflict between this Chapter and any applicable statute, the state statute shall be controlling

**21-2 ADOPTION OF LAWS AND RULES**

- A. Except as otherwise provided in this Chapter, the Village of Whitefish Bay adopts Wisconsin Statutes (Wis. Stat. § 145 and §147; Wisconsin Administrative Code SPS 302 and 305, Uniform Dwelling Code Chapters SPS 320-325 and the Administrative Code that is typically referred as the Wisconsin State Plumbing Code (State Plumbing Code) SPS 381 through 387; the Standard Specifications for Sewer and Water Construction in Wisconsin latest edition and Construction and Materials Manual Wisconsin Department of

Transportation (DOT) latest edition, and the Milwaukee Metropolitan Sewerage District (MMSD) Rules.

B. The Village of Whitefish Bay is required to comply with the Wisconsin Department of Natural Resources (DNR) requirements including but not limited to Chapter NR 110 Sewerage Systems, the Wisconsin Pollution Discharge Elimination System (WPDES) and the DNR General Permit No. WI 0047341-05-0 and MMSD Rules.

## **21-3 DEFINITIONS**

### **Approving Authority**

The person, Village Board, or other body in whom decision making responsibility is vested under the provisions of this Code. Whenever action is directed to be taken by a specific person, authority is also granted for that specific person to delegate that action to another.

### **Biochemical Oxygen Demand (BOD)**

The quantity of oxygen used in the biochemical oxidation of organic matter in five days at 20 degrees C, expressed in milligrams per liter (mg/l). Quantitative determination of BOD shall be made in accordance with procedures set forth in the most recent edition of Standard Methods.

### **Building Drain**

The horizontal piping within or under a building, installed below the lowest fixture or the lowest flow level from which fixtures can drain by gravity to the private sanitary sewer lateral.

### **Categorical Pretreatment Standard**

A regulation promulgated under 33 U.S.C. secs. 1311 or 1317 by the U.S. Environmental Protection Agency and set forth in 40 CFR parts 405 to 471 or promulgated under sec. 281.13, Wis. Stats., by the Department of Natural Resources and set forth in the Wisconsin Administrative Code.

### **Chemical Oxygen Demand (COD)**

Used as a measurement of pollutants in wastewater and natural waters.

### **Contaminants of Emerging Concern (CEC)**

Any chemical discovered in water or in the environment that had not previously been detected or were only present in insignificant levels. CECs can range from pharmaceuticals, personal care or household cleaning products, lawn care, agricultural products, and organic pollutants used in industrial processes.

### **Director of Public Works**

The person authorized by the Village to manage and operate the Village publicly owned sanitary sewer system and to ensure compliance with the State Plumbing Code for the private sanitary sewer system.

## **Director of Building Services**

The person authorized by the Village Board to perform inspections, issue permits, and is authorized to ensure that the State Plumbing Code is enforced.

## **Fats, Oil, and Grease (FOG)**

Organic compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical test procedures established in the United States Code of Federal Regulations 40 CFR 136, as may be amended from time to time. All are sometimes referred to herein as grease or greases.

## **Floatable Oil**

Fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection or treatment system

## **Geographic Information System (GIS)**

A system designed to capture, store and manage geographic data.

## **Global Positioning System (GPS)**

A satellite-based navigational system using satellite signals to provide geolocation data which is used in a GIS.

## **Infiltration**

Defined in Wisconsin DNR rule NR 110.03(16), water other than wastewater that enters a sanitary sewer system (including private sanitary sewer laterals) from the ground through such sources as defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from, inflow.

## **Inflow**

Defined in Wisconsin DNR rule NR 110.03(17), water other than wastewater that enters a sanitary sewer system (including private sanitary sewer laterals) from sources such as roof leaders (downspouts), cellar drains, yard drains, area drains, foundation drains, prohibited sump pump drains from springs and swampy areas, manhole covers, cross connections between storm sewers and sanitary sewers, catch basins, cooling towers, storm waters, surface runoff, street wash waters, or drainage. Inflow does not include, and is distinguished from, infiltration.

## **Milwaukee Metropolitan Sewerage District (MMSD)**

Owns the Water Reclamation Facilities that treat the wastewater discharged into the Village publicly owned sanitary sewer system.

## **pH**

The logarithm of the reciprocal of the hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen ion concentration of 10<sup>-7</sup>.

### **Private Sanitary Sewer Lateral or Building Sewer**

The section of private pipe that carries wastewater and liquid waste from the building drain to the Village sanitary sewer main.

### **Sanitary Sewer Main**

The Village publicly owned sanitary sewer piping system that receives and carries flows of wastewater, sewage and liquid waste from the private sanitary sewer laterals to the Milwaukee Metropolitan Sewerage District (MMSD) water reclamation facilities.

### **Sanitary Sewer Overflow (SSO)**

A release of untreated or partially treated wastewater from a municipal sanitary sewer system.

### **Sanitary Sewer System**

All the Village structures, conduits, and sanitary sewer mains by which wastewater is collected, treated and disposed of, except plumbing inside and in connection with building service and private sanitary sewer laterals.

### **Satellite Sewage Collection Systems**

A sewage collection system that is tributary to a regional Water Reclamation Facility (MMSD) that provides treatment.

### **Slug**

Any non-routine batch discharge, including but not limited to discharges resulting from a spill.

### **Standard Specifications for Sewer and Water Construction in Wisconsin**

The latest edition is the sewer design manual for the State of Wisconsin.

### **State Plumbing Code**

The Wisconsin Administrative Code Chapters that are applicable to plumbing SPS 381-387.

### **Storm Sewer**

A Village drain or storm sewer for conveying surface water, groundwater, subsurface water or unpolluted water from any source.

### **Unpolluted waters**

Water of quality equal or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not

be benefited by discharge to the sanitary sewer mains and the water reclamation facilities.

**United States Environment Protection Agency (U.S. EPA)**

The Environmental Protection Agency is a United States federal government agency whose mission is to protect human and environmental health.

**Village**

The Village of Whitefish Bay, Wisconsin.

**Wastewater**

All water that contains pollutants.

**Water Reclamation Facility**

The Water Reclamation Facilities owned by Milwaukee Metropolitan Sewerage District (MMSD) to treat wastewater. A Water Reclamation Facility is an arrangement of structures to treat wastewater, septage, industrial wastes, and solids. In the case of the Village of Whitefish Bay, the Village wastewater generated is discharged to and treated by the Water Reclamation Facilities owned by the Milwaukee Metropolitan Sewerage District.

**Wisconsin Administrative Code**

The Wisconsin administrative rules and have the force of the law via the authority that comes from statutes and the Wisconsin Constitution.

**Wisconsin Department of Natural Resources (DNR)**

The regulatory authority that monitors discharge of pollutants to waters of the state

**Wisconsin Pollutant Discharge Elimination System (WPDES)**

Permit issued by the DNR

**Wisconsin Statute (Wis. Stat.)**

A compilation of the general laws of the state of Wisconsin currently in effect.

**21-4 MANAGEMENT, OPERATION AND RESPONSIBILITY**

- A. The management, operation and responsibility of the Village sanitary sewer system is vested in the Director of Public Works. The management, operation, and responsibility of the plumbing Code is vested in the Director of Building Services.
- B. The Village shall have the authority to construct sanitary sewers for public use and shall have the authority to install sanitary sewer pipes in and through the alleys, streets, and public grounds of the Village and generally to do all such work as may be found necessary or convenient in the management of the sanitary sewer system.

**21-5 RIGHT OF ENTRY**

- A. The Village authorized representatives shall be permitted to gain access to all properties, at reasonable hours of the day, to enter the premises or buildings to ensure Code compliance. In the event of withdrawal of consent, the Village may terminate sewer, and water services and service delivery.

## **21-6 LICENSE AND PERMITS**

- A. Sanitary sewer and plumbing work performed in the Village must be by Master Plumbers in the State of Wisconsin per Ch. Wis. Stat. 145.06 with the exception of work performed as outlined in §20. Permits are required for any work performed and permits must be obtained prior to performing any work performed with the exceptions listed in §20.

## **ARTICLE II SANITARY SEWER USE REGULATIONS**

### **21-7 GENERAL**

- A. The rules, regulations, and sanitary sewer rates of the Village hereinafter set forth shall be considered a part of the contract with every person, company, or corporation who or which is connected to or uses the Village sanitary sewer system, and every such person, company or corporation by connecting with the sanitary sewer system shall be considered as expressing his or its consent to be bound thereby.
- B. Whenever any of said rules and regulations, or such others as the Village may hereafter adopt, are violated, the use or service may be shut off from the building or place of such violation (even though two or more parties are receiving service through the same connection). Such service shall not be reestablished except by order of the Director of Public Works and on payment or agreed upon payment plan of all arrears, the expenses and established charges of shutting off and putting on, and such other terms the Director of Public Works may determine along with a satisfactory understanding with the party that no further cause for complaint shall arise.

### **21-8 USE OF PUBLIC SEWERS REQUIRED**

- A. All wastewater shall be discharged to the Village public sanitary sewer system only through an approved private sanitary sewer lateral except for private sanitary sewer laterals connected to the MMSD sanitary sewer system prior to 2019.
- B. No person shall discharge any prohibited substances directly into a manhole or similar opening in a Village or MMSD sanitary sewer system.
- C. All connections and discharges shall comply with MMSD rules.

### **21-9 DISCHARGE INTO STORMWATER SYSTEM**

- A. It shall be unlawful to discharge any wastewater or polluted waters or any prohibited substance into the Village public storm sewer system or natural outlet or waterway unless otherwise permitted.

## **ARTICLE III PROHIBITED DISCHARGES**

### **21-10 GENERAL**

- A. No discharge shall be made to the sanitary sewer system that is in violation of this Chapter, MMSD rules, U.S. EPA Code of Federal Regulations, and Wisconsin Administrative Code. No discharges shall be made without a valid permit from the Village.
- B. Use of the sanitary sewer system is limited to the discharge of wastewater in such a quantity and of such a quality as shall not endanger the condition, operation or capacity of the Village sanitary sewer system and the Water Reclamation Facilities.

### **21-11 STORMWATER DISCHARGES**

- A. It shall be unlawful for any person to discharge or cause to discharge any rainwater, stormwater, surface water, groundwater, roof runoff, yard drainage, swimming pool or subsurface drainage into any private sanitary sewer lateral or sanitary sewer system either directly or indirectly connected.

### **21-12 PROHIBITED DISCHARGES**

- A. Fats, oil, and grease (FOG) can cause or contribute to FOG related sanitary sewer overflows, blockages, or increased maintenance in the sanitary sewer system. See §21-13 for requirements for food service establishments.
- B. Used motor vehicle anti-freeze, motor oil, brake fluid, transmission fluid, hydraulic oil-based paint, and paint thinners or similar substances.
- C. Any materials into the lateral such as but not limited to wipes; flushable wipes; diapers, paper towels; and contaminants of emerging concern (CEC) including pharmaceuticals and personal care products.
- D. Any waters or wastes containing substances which are not amenable to transport, treatment or reduction by the Water Reclamation Facility treatment processes or are amenable to treatment only to such degree that the effluent cannot meet the WPDES permit requirements.
- E. Unpolluted industrial process water including but not limited to noncontact cooling water, evaporative coolers unless a permit is issued by the Director of Public Works. The Director of Public Works may approve the discharge of such water only when no reasonable alternative method of disposal is available. If a permit is granted for the discharge of such water into the public sewer, the user shall pay the applicable user charges and fees and shall meet such other conditions as required by the Director of Public Works.
- F. Any liquid or vapor having a temperature detrimental to the sanitary sewer system or the treatment process above 104 °F or per MMSD rules whichever temperature is less.

- G. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
- H. Any waste shall have no particles greater than three-eighths (3/8) in any dimension.
- I. Any sand, cement, lime, plaster, cinders, ashes, metal, glass or other heavy solids; any straw, shavings, animal hair, feathers, paunch manure or other fibrous matter; any tar, asphalt, resins, paints, stains, plastics or other viscous substance; or any other matter of such a nature as to obstruct the flow in sewers or cause other interference with the proper operation of the sanitary sewer system.
- J. Any waters or wastes containing excessive amounts of acid, alkali, or dissolved sulfide, or having any other corrosive property capable of causing damage or hazard to the sanitary sewer system structures, equipment or personnel or having a pH of 5 or less.
- K. Any waters or wastes containing a toxic or poisonous substance or materials that obstructs or prevents the effective operation and maintenance of the sanitary sewer system or the Water Reclamation Facilities.
- L. Any waters or wastes containing more than five hundred (500) milligrams per liter (mg/l) of suspended solids.
- M. Any noxious or malodorous gas or substance capable of creating a public nuisance.
- N. Any waste having more than one (1) milligram per liter of sulfides.
- O. Any waste that contains unusual Biochemical Oxygen Demand (BOD), chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the Water Reclamation Facility per MMSD rules.
- P. Unusual volume of flow or concentration of wastes constituting slugs
- Q. Any waste with excessive discoloration (such as, but not limited to dye wastes and vegetable tanning solutions).
- R. Any waste containing mercury. See MMSD rules for Amalgam Management at Dental Offices.
- S. Any radioactive waste.
- T. Any Contaminants of Emerging Concern (CEC).
- U. Any liquid wastes that have been collected and held in tanks or containers shall not be discharged into the sanitary sewer system. Wastes of this category include but are not limited to:
  - (1) Septic tank pumping
  - (2) Septic tank pumping;

- (3) Chemical toilet wastes;
- (4) Pleasure boat wastes;
- (5) Industrial wastes collected in containers or tanks;
- (6) Fats, oils and grease; and
- (7) Any other material not classified as residential sewage, including chemicals and other materials stored on the premises of the user which might, directly or indirectly, enter the Village sewer, accidentally or otherwise.

V. Any prohibited discharges per MMSD rules.

## **21-13 REQUIREMENTS FOR FOOD SERVICE ESTABLISHMENTS**

- A. Grease Control Requirement. It is prohibited to discharge fats, oils, and grease (FOG) to the sanitary sewer system. Food service establishment owners and operators are required to control FOG discharge from their food service establishments to the sanitary sewer system and not cause or contribute to FOG-related sanitary sewer overflows (SSO)s, blockages or increased maintenance to the sanitary sewer system.
- B. Grease interceptor(s) shall be installed and maintained to prevent FOG-related SSO, blockages, or increased maintenance in the sanitary sewer system. Grease control devices are required if food service establishments meet any of the following conditions:
  - C. Approved Grease Control Device.
    - (1) A grease interceptor device designed to intercept FOG from wastewater discharge shall be required. Grease interceptors include but are not limited to gravity grease interceptors and various other types of grease interceptors that require cleaning/servicing by a pumping company due to design or per manufacturer's specifications.
    - (2) On a case-by-case basis due to site practicality reasons, the Director of Building Services or Director of Public Works may allow an automatic grease removal device which is designed to retain FOG from wastewater discharge. An automatic grease removal device automatically removes FOG from the wastewater stream and transfers the FOG to an external container. Automatic grease removal devices are typically installed inside and above ground and are generally cleaned by food facility staff.
  - D. Grease Control Device Maintenance.
    - (1) If a food service establishment has one or more grease interceptors, they must be maintained as follows:
      - (a) By removing the entire contents of the interceptor each time the interceptor is pumped.

- (b) To ensure proper operation, maintenance and performance during the entire period of wastewater discharge.
- (c) A minimum pumping frequency of once per three (3) month period, or more frequently if required to ensure that the food service establishment discharge does not cause or contribute to FOG-related overflows, blockages, or increased maintenance in the sanitary sewer system.

- (2) If a food service establishment has one (1) or more automatic grease removal devices, the device(s) must be operated and maintained according to manufacturer's specifications, including, but not limited to, maintaining appropriate power supply and emptying the FOG receptacle at the frequency described by the manufacturer in the owner's manual.
- (3) More frequent maintenance and/or additional grease control device equipment may be required if a food service establishment continues to cause or contribute to FOG-related overflows, blockages, or increased maintenance in the sanitary sewer system.
- (4) All employees shall be trained to properly maintain the grease interceptors and control devices in accordance with the maintenance requirements.
- (5) Maintenance Records. Food service establishments shall retain maintenance records. The maintenance records shall be kept a minimum of three (3) years from the date of service and shall be provided to the Village on an annual basis. At minimum, the following information must be included:
  - (a) Grease interceptor: Monthly inspection, date of service; volume pumped (gallons); and waste disposal location.
  - (b) Automatic grease removal device: Date of grease receptacle emptying and/or maintenance; Signature by staff conducting maintenance; Waste disposal location.
  - (c) Employee training records as required by the Village.

## **21-14 LIMITATIONS ON WASTEWATER STRENGTH**

- A. National categorical pretreatment standards as promulgated by the U.S. EPA shall be met by all dischargers of the regulated industrial categories.
- B. State Requirements and limitations on discharges to MMSD Water Reclamation Facilities shall be met by all dischargers which are subject to such standards in any instance in which are more stringent than federal requirements and limitation or those in this article or any other applicable ordinance.

- C. MMSD requirements and limitations on discharges to MMSD Water Reclamation Facilities shall be met by all dischargers.
- D. The Village reserves the right to amend this article to provide for more stringent limitations or requirements on discharges to the MMSD Water Reclamation Facilities.
- E. Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction, to injure or interfere with any wastewater treatment process, to consist of a hazard to humans or animals, or to exceed the limitation set forth in state or federal categorical pretreatment standards is prohibited. A toxic pollutant shall include but not be limited to any pollutant identified in the Toxic Pollutant List set forth in Chapter NR 215, Wisconsin Administrative Code.
- F. No discharger shall discharge wastewater containing concentrations (and/or mass limitations) above MMSD standards.
- G. The use of diluting waters to meet the required standards for discharge of waste into the sewer is prohibited.

## **21-15 SANITARY SEWER ACCIDENTAL DISCHARGE**

- A. Each discharger shall provide protection from accidental sanitary sewer discharge of prohibited or regulated materials or substances established by this Chapter. Where necessary, facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the discharger's cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the approving authority for review and shall be approved by the approving authority before construction of the facility. Review and approval of such plans and operating procedures by the approving authority shall not relieve the discharger from the responsibility to modify its facility as necessary to meet the requirements of this article.
- B. Dischargers shall notify the approving authority immediately upon the occurrence of a slug load or accidental discharge of substances prohibited by this article. The notification shall include the location of discharge, date and time thereof, type of waste, concentration and volume, and corrective actions. Any discharger which discharges a slug load of prohibited materials shall be liable for any expense, loss or damage to the Village's sanitary sewer system or MMSD water reclamation facilities, in addition to the amount of any fines imposed on the approving authority on account thereof under state or federal law.
- C. Signs shall be permanently posted in conspicuous places on the discharger's premises advising employees whom to call in the event of a slug or accidental discharge. Employers shall instruct all employees who may cause or discover such a discharge with respect to the emergency notification procedure.

## **21-16 SEPTIC TANKS**

- A. Septic tanks are prohibited in the Village. The maintenance and use of septic tanks, holding tanks and other private wastewater disposal systems within the Village are declared a public nuisance and a health hazard.
- B. Discharge of any septic tank contents into the Village sanitary sewer main is strictly prohibited.

## **ARTICLE IV SANITARY SEWER USER CHARGE SYSTEM**

### **21-17 AUTHORITY**

- A. Pursuant to §281.57(8)(c), Wis. Stats., the Village of Whitefish Bay is authorized and directed to establish a system of equitable user charges for the operation and maintenance of the local sanitary sewer system for which the user fee system shall be in compliance with Title II of the Federal Act (Public Law 92-500) amended and the rules promulgated under the Federal Act.

### **21-18 PURPOSE**

- A. The purpose of this section is to enable the Village of Whitefish Bay to establish and collect from users within the municipality those charges which represent the proportionate contribution of such users (or user classes) and the user's proportionate share of the total operation and maintenance costs (including replacement costs) of the Village sanitary sewer system and the conveyance and the cost of wastewater treatment by MMSD. The system of charges shall be based upon the user's (or user classes) proportionate to the total from the users (or user classes).

### **21-19 USER CHARGES**

- A. It shall be the policy of the Village Board to obtain sufficient revenues to pay the costs of Village operation, maintenance, rehabilitation and replacement of the sanitary sewer system and the wastewater charges billed to the Village by MMSD. The revenues shall include any past or future debt retirement and other capital improvements as necessary to protect the health, comfort and sanitary of the Village residents. Each user of the sanitary sewer system facilities shall pay a proportionate share of the cost of such facilities.
- D. A sewer service charge is hereby imposed on each lot, parcel of land, building or premises served by the sanitary sewer system and the MMSD water reclamation facilities, or otherwise discharging wastewater and industrial wastes into the sanitary sewer system.
- E. Rates shall be reviewed from time to time by the Village Board. Rates shall be adjusted, as required to reflect the actual number and size of uses and actual costs. The sanitary sewer charges shall be subject to revision based on changes in the Village costs or as a result of changes in the rates charged the Village by MMSD.

- F. Sewer service charge and rate structure plan are approved by the Village Board and the details can be provided as requested.

## **ARTICLE V VIOLATIONS AND PENALTIES**

### **21-20 DAMAGES**

- A. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is a part of the sanitary sewer system. Any person violating this provision shall be subject to immediate arrest under the charge of disorderly conduct.

### **21-21 VIOLATIONS**

- A. Any person who shall violate any provision of this Chapter shall be subject to a penalty as provided §17 Village Code in addition to the specific penalties provided in this Chapter. A separate offense shall be deemed committed on each day on which a violation of this Chapter occurs or continues.

### **21-22 REMEDIAL WORK**

- A. As a further remedy for violation, any provision of this Chapter, the Village authorized representatives shall take such remedial action on the property as is necessary to remedy any such violation, and authorizes the Village Finance Director to place the cost of such work, including all remedial and direct and indirect costs on the property tax bills for the property in question as a special charge for current services pursuant to § 66.06.0627 Wis. Stats.

### **21-23 GENERAL REFERENCES**

- Stormwater Management Code – See § 13
- Water Code – See § 14
- Village Code and Ordinances – See § 17
- Stormwater Utility Code – See § 19
- Plumbing Code – See § 20

Section Two: Severability: In the event that any provision of this Ordinance is for any reason held to be invalid, unconstitutional, or unenforceable by any court of competent jurisdiction, such portions of this Ordinance shall be deemed separate, distinct and independent provisions of the Ordinance and all remaining portions of this Ordinance shall remain in full force and effect.

Section Three: All ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby to such extent repealed.

Section Four: This ordinance shall take effect and be in force after its passage and posting pursuant to law.

PASSED AND ADOPTED by the Village Board of Trustees of the Village of Whitefish Bay this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

VILLAGE OF WHITEFISH BAY

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Julie Siegel, Village President

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Jaimie Krueger, Village Clerk

February 4, 2021

**Memo to:** President Siegel and Members of the Village Board  
**From:** John Edlebeck, P.E., Director of Public Works *Joe*  
**Re:** **East Side Permanent Parking Restrictions**  
**4600 blocks of Larkin Street, Newhall Street, and Bartlett Avenue**

The **4600 blocks of Larkin Street, Newhall Street, and Bartlett Avenue** are divided by the Village limits of Shorewood and Whitefish Bay. The most southerly 4-6 houses on the 4600 block of each street are in the Village of Shorewood, with the vast majority then in the Village of Whitefish Bay.

These pavements are exceptionally narrow at 24, 24 and 26 feet wide respectively.. The narrowness of these streets create a substantial problem for our Public Works Department vehicles (and emergency Fire Department vehicles as well) during daytime, nighttime, summer and winter months. Our refuse and recycling packer trucks, sewer vactor truck, bucket truck, brush chipper trucks, yard waste / leaf trucks as well as snow plow trucks in the winter literally at times have inches between parked vehicles to pass, or are unable to drive down these streets at all. Currently, the Village of Shorewood restricts one side parking on their section of these roadways from December 1-March 1. The next block south in the Village of Shorewood on each street with the same roadway width has parking restrictions on one side of the roadway, as well.

On other similar roadways in the Village, like Glen Avenue and Lake Forest Avenue, parking is permanently restricted on one side of the roadway to safely accommodate traffic. The Whitefish Bay Public Works Department has been coordinating with the Shorewood Public Works Department staff on this matter. Both departments agree to pursue permanently restricting parking on the east side of the 4600 blocks of Larkin Street, Newhall Street, and Bartlett Avenue to create a safer traffic situation for all.

The Public Works Committee reviewed this matter at their February 3, 2021 meeting and recommended its approval to the Village Board.

**Requested Action Item:**

**Recommend approval by the Village Board of permanent (year round) east side parking restrictions on the 4600 blocks of Larkin Street, Newhall Street, and Bartlett Avenue (Cumberland Boulevard south to the Village limits).**

## ORDINANCE NO: 1880

## An Ordinance Relating to the Traffic Code

The Village Board of the Village of Whitefish Bay, Milwaukee County, Wisconsin does ordain as follows:

Section One: Section 6-9-B of the Traffic Code is hereby amended to create the following entries in the "No parking at any time" table:

Name of Street	Side	Location
North Bartlett Ave	East	From the Village of Whitefish Bay boundary with Village of Shorewood north to intersection of North Bartlett Ave and North Cumberland Blvd

Name of Street	Side	Location
North Newhall St	East	From the Village of Whitefish Bay boundary with the Village of Shorewood north to intersection of North Newhall St and North Cumberland Blvd

Name of Street	Side	Location
North Larkin St	East	From the Village of Whitefish Bay boundary with Village of Shorewood north to intersection of North Larkin St and North Cumberland Blvd

Section Two: All ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby and to such extent repealed.

Section Three: This ordinance shall take effect and be in force from and after its passage and posting.

PASSED AND ADOPTED by the Village Board of Trustees of the Village of Whitefish Bay this 15th day of February 2021.

VILLAGE OF WHITEFISH BAY

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Julie Siegel, Village President

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Jaimie Krueger, Village Clerk