



ORDINANCE O-14-17

AN ORDINANCE CREATING PRIVATE LEAD AND GALVANIZED WATER SERVICE
LATERAL REPLACEMENT REQUIREMENT

Introduced by Alderman Nichols

The Common Council of the City of Menasha does ordain as follows:

SECTION 1: Amend the Code of Ordinances of the City of Menasha, Wisconsin by Creating Title 9, Chapter 2, SECS. 17 – 18 as follows:

WHEREAS, the Water and Light Commission has requested and recommended the Common Council adopt the attached ordinance mandating the replacement of private water service laterals containing lead or galvanized pipe at the time the Utility replaces its portion of the lead service in order to protect health and safety and to meet state and federal water quality requirements.

Title 9 – Public Utilities

CHAPTER 2

Water Utility Regulations

SEC. 9-2-17 WATER SERVICE LATERALS.

Every water service lateral connected to the Utility shall be made of suitable material as determined by the Water and Light Commission. No lead or galvanized service line will be allowed to connect to a Utility line once replaced.

SEC. 9-2-18 LEAD & GALVANIZED WATER SERVICE REPLACEMENT PROGRAM.

- (a) Intent and Purpose. The Common Council of the City of Menasha finds that it is in the public interest to establish a comprehensive program for the removal and replacement of lead and galvanized water service laterals in use within both the Menasha Utilities Water system (Utility) and in private systems and to that end declares the purposes of this ordinance to be as follows:
- (1) To ensure the water quality at every tap of Utility customers meets the water quality standards specified under the Federal Safe Drinking Water Act; and
 - (2) To reduce the lead in City drinking water to meet Environmental Protection Agency (EPA) standards and ideally to reduce lead contaminant level to zero in City drinking water for the health of City residents; and
 - (3) To eliminate the constriction of water flow caused by mineral rich surface water

flowing through lead and galvanized water service pipes and the consequent buildup of mineral deposits inside lead and galvanized pipes; and

- (4) To meet the Wisconsin Department of Natural Resource (WDNR) requirements for local compliance with the Lead and Copper Rule (*see* 56CFR6460; Title 40 CFR part 141.80-141.91 and Chapter NR 809.54-809.55 Wisconsin Administrative Code).
- (b) Owner to Replace Lead and Galvanized Service. Existing lead and galvanized water service laterals connected to the Utility shall be replaced with water service laterals made of suitable material and at the owner's expense. Replacement shall be completed either before or in conjunction with the next Utility project in the area of the affected property.
- (1) Affected property owners may contract with a licensed contractor to complete the replacement. If the property owner selects this option, the lead or galvanized water service lateral shall be replaced before the start of or during construction of the Utility project; or,
 - (2) If available, affected property owners may have the Utility contractors complete the replacement.
 - A. The Utility may, as part of any water project, add an alternative to the Utility's contract requesting unit bid prices for the calculation of the cost for private lead or galvanized water service lateral replacement. This will include removing the entire lateral from the main to the inside of the house and replacing all lead or galvanized piping with suitable material.
 - B. If available, and should the property owner select this option, the property owner will be charged the entire cost of the removal and replacement. In addition, all restoration will be the responsibility of the property owner (for example, top soil, concrete, steps, asphalt, bushes, and porches).
- (c) Utility Water System Construction Requirements.
- (1) Notification to Property Owners. Property owners in the project area will be notified, in writing, of capital improvement projects involving public water mains or replacement of lead services on the Utility side. The notification shall be at least 30 days prior to commencement of the construction.
 - (2) Inspection Required. The Water Utility Manager or their designee shall inspect all private connections to the public water mains for the presence of lead or galvanized pipe prior to, if possible, or at the time that the Utility system is to be reconstructed and if unable to gain access for inspection, may pursue an inspection warrant.
 - A. In the event that a private water service lateral is found to contain lead or galvanized pipe the Water Utility Manager or designee shall immediately notify the owner, in writing, of that fact along with information about the Utility's Lead or Galvanized Water Service Lateral Replacement Program.
 - B. The affected property owner shall provide proof of arrangements for replacement of the lead or galvanized water service lateral to the Water Utility Manager or their designee within 30 days of the date of the notification letter.

SECTION 2: This ordinance shall become effective January 1, 2018.

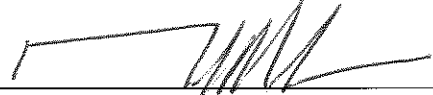
Passed and approved this 4th day of December, 2017

Recommended by: Board of Public Works

Motion/Second:
Ald. Nichols/Ald. Sevenich

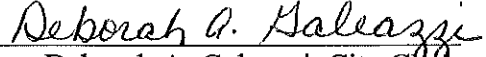
Passed: 6-2
Ald. Nichols, Taylor, Sevenich,
Collier, Grade, Benner voted yes.
Ald. Krueger, Zelinski voted no.

Requires: Majority Vote



Donald Merkes, Mayor

ATTEST:



Deborah A. Galeazzi, City Clerk

