Chapter 16

PLUMBING

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Article I. Administration

Sec. 16-01. State regulations adopted.

(1) *Adopted by reference.* Chapters 106 and 145 Wisconsin Statutes; Chapter SPS 305 and Chapters SPS 381 through 387 Department of Safety and Professional Services are adopted and by reference made a part of this chapter with the same force and effect as though set out in full. Failure to comply with any of the provisions of such regulations shall constitute a violation of this chapter, punishable according to the penalties provided in this chapter.

(2) *To be on file.* A copy of the state plumbing code shall be on file in the offices of the plumbing inspector and the city clerk.

(Code 1982, § 15.01; Ord. No. 998, § 1, 10-27-2003; Ord. No. 1220, § 1, 2-28-2012)

Sec. 16-02. Plumbing defined.

In this chapter, "plumbing" shall have the meaning set forth in § 145.01(10) Wis. Stats. and includes:

(1) All piping, fixtures, appliances, equipment, devices and appurtenances in connection with the water supply, water distribution and drainage systems, including hot water storage tanks, water softeners and water heaters connected with such water and drainage systems and the installation thereof.

(2) The construction, connection or installation of any drain or waste piping system from the outside or proposed outside foundation walls of any building to the mains or other sewer system terminal within bounds of or beneath an area subject to easement for highway purposes, including private sewer systems and the alteration of any such systems, drains or waste piping.

(3) The water service piping from the outside or proposed outside foundation walls of any building to the main or other water utility service terminal within bounds of or beneath an area subject to easement for highway purposes and its connections.

(4) The water pressure systems other than municipal systems as provided in chapter 281 Wis. Stats.

(5) A plumbing and drainage system so designed and vent piping so installed as to keep the air within the system in free circulation and movement; to prevent with a margin of safety, unequal air pressures of such force as might blow, siphon or affect trap seals or retard the discharge from plumbing fixtures or permit sewer air to escape into the building; to prohibit cross connection, contamination or pollution of the potable water supply and distribution systems; and to provide an adequate supply of water to properly serve, cleanse and operate all fixtures, equipment, appurtenances and appliances served by the plumbing system.

(Code 1982, § 15.02)

Sec. 16-03. Plumbing inspector.

(1) *Appointment, term and compensation.* The council shall appoint a plumbing inspector, along with such other authorized agents as it deems necessary, who shall be a licensed plumber under § 145.05 Wis. Stats. and who, unless under civil service, shall serve for a term as fixed by the council, subject to removal for just cause, and whose compensation shall be as fixed by the council from time to time. In the event that no licensed plumber is available for such position, the council may appoint a temporary inspector who shall be familiar with this chapter, the Wisconsin Plumbing Code and general rules and practice of the plumbing trade. Upon appointment of a plumbing inspector, the duties and responsibilities of the temporary inspector shall terminate.

(2) *Duties and authority.* Duties and authority of the plumbing inspector shall be as follows:

(a) *Generally.* The plumbing inspector shall enforce all provisions of this chapter and all other state and city provisions relating to the construction, installation, alteration and repair of all plumbing within the city and shall make such inspections, perform such tests and issue such orders as may be necessary for such enforcement. The plumbing inspector or his authorized agent shall issue citations enforcing this chapter and for nuisances under chapter 11 of this Code in the Marshfield Municipal Court.

(b) *Authority to enter premises.* The plumbing inspector shall have the authority to enter premises as follows:

1. In the discharge of his duties, the plumbing inspector or his authorized agent may enter any building, upon presentation of the proper credentials, during reasonable hours for the purpose of inspection and may require the production of any permit or license required under this chapter. No person shall interfere with the inspector or his authorized agent while in the performance of his duties; and any person so interfering shall be in violation of this chapter and subject to a penalty as provided by section 16-07 of this chapter.

2. If consent to entry to personal or real properties which are not public buildings, or to portions of public buildings which are not open to the public, for inspection purposes has been denied, the plumbing inspector shall obtain a special inspection warrant under § 66.0119(3) Wis. Stats.

(c) *Permits.* The plumbing inspector or his authorized agent shall prepare suitable forms for permit applications and permits, shall take applications and issue to qualified applicants permits as required for all work contemplated by this chapter and shall maintain suitable records of the permits issued. He shall weekly submit permit fees collected by his office to the finance director.

(d) *Records and reports.* The plumbing inspector shall keep records and make reports as follows:

1. *To the building services supervisor.* The plumbing inspector shall keep in his office a daily record of all the transactions of his office, including permits issued and fees received and shall make monthly and annual reports thereon to the building services supervisor.

2. *To the Department of Safety and Professional Services.* The plumbing inspector shall make such reports to the Department of Safety and Professional Services as required by state law.

3. *Record of special locations.* The plumbing inspector shall keep a record of all sewer and water connections and shall make maps showing the locations of the sewer and water connections and the positions of all house drains, connections, junctions and other data necessary for the efficient operation of his office.

(e) *Stop work orders.* The plumbing inspector may order work stopped on the construction, installation, alteration or repair of plumbing when such work is being done in violation of this chapter. Work so stopped shall not be resumed except with written permission of the plumbing inspector, provided if the stop work order is an oral one, it shall be followed by a written order within a reasonable period of time.

(Code 1982, § 15.03; Ord. No. 998, § 2, 10-27-2003; Ord. No. 1031, § 4, 10-12-2004)

Sec. 16-04. Issuance of plumbing permits and inspection.

(1) *Required.* No work contemplated by this chapter shall be started until a permit therefor has been obtained from the plumbing inspector or his authorized agent, provided no permit shall be required for minor repairs to faucets or the removal of stoppages in soil and waste pipes.

(2) *Application.* The application shall be in writing upon forms which the plumbing inspector shall provide and shall include the name of the owner and the description of the property on which the work is to be done, along with such pertinent information as the plumbing inspector may require and shall state that the property owner and the applicant will be bound by and subject to the provisions of this chapter.

(3) *Issuance, term, suspension and revocation.* When the plumbing inspector is satisfied that the work proposed by the applicant can be done in conformity with the provisions of this chapter and after the appropriate fees have been paid to him, he shall issue the permit. Such permit shall be good for the continuous performance of the work named thereon.Apermit shall automatically expire when work ceases for a period of 60 days without good and reasonable cause for the cessation and shall automatically expire on completion of the work for which it was issued; provided the plumbing inspector may, upon notice, suspend or revoke such permit for violation of the provisions of this chapter.

(4) *Restrictions on issuance.* Restrictions on issuance of the plumbing permit are as follows:

(a) No plumbing permit shall be issued to any person who is in violation of this chapter until such violation has been corrected.

(b) No plumbing permit shall be issued to any person against whom an order issued by the plumbing inspector is pending, provided this restriction may be waived by the plumbing inspector.

(5) *Appeals for failure to issue, suspension and revocation.* Any person directly interested who is aggrieved by the decision of the plumbing inspector to refuse to issue a permit or to suspend or revoke such permit or to order work stopped under section 16-03(2)(e) of this Code, may within ten days appeal such decision to the state plumbing inspector, whose decision shall govern.

(6) *Fees.* The schedule of permit fees to be paid shall be as follows, and such fees must be paid before the plumbing permit is issued:

(a) Backflow preventer: $15.00

(b) Grease Interceptor: $15.00

(c) Modify water distribution system: $30.00

(d) Modify waste drain and venting system: $30.00

(e) Plumbing fixtures: $8.00 each.

(f) Private interceptor main sewers: $10.00 per 100 feet.

(g) Private water main: $10.00 per 100 feet.

(h) Sanitary new/repair/reconstruction/replacement: $20.00.

(i) Sprinkler meter: $15.00

(j) Storm sewer new/repair/reconstruction/replacement: $20.00.

(k) Water service new/repair/reconstruction/replacement: $20.00 up to two-inch service pipe, plus $2.00 for each additional inch over two inches (each service).

(l) Water softener: $15.00.

(m) Water Heater - change in energy use: $15.00.

(n) Minimum plumbing permit fee: $30.00

(o) Residential (single-family, owner occupied) one bathroom, kitchen or laundry room remodel done by owner. Section Section 15-03(2)e.

(p) Failure to obtain a plumbing permit prior to commencing work: $100.00 or double the permit fee, whichever is more, except for emergency work. (Permits for the emergency work need to be taken out within 48 hours after the work was performed.)

(Code 1982, § 15.04; Ord. No. 970, § 1, 1-28-2003; Ord. No. 1038, § 1, 1-11-2005)

Sec. 16-05. Plumbers to be licensesd.

All plumbing work shall be done only by a plumber licensed by the state for such work, provided a property owner may make repairs or installations in a single-family building owned and occupied by him at his home if a permit therefor is issued and work is done in compliance with the provisions of this chapter.

(Code 1982, § 15.05)

Sec. 16-06. Registration of plumbers.

(1) *To be on file.* All master plumbers engaged in the business of plumbing in the city and all journeymen plumbers and apprentice plumbers working at the plumbing trade in the city shall register with the plumbing inspector who shall keep such registration on file in his office.

(2) *Information to be supplied.* Such registration shall consist of the full name and address, license number and current receipt number of each master or journeyman licensee. For an apprentice, the year of apprenticeship and the shop to which he is indentured shall be indicated.

(3) *Registration requirements limited.* The purpose of this section is solely to provide for the administration of state licensing requirements and this chapter. No fee shall be charged for any plumber's registration nor shall any information other than that specified in subsection (2) of this section be required.

(Code 1982, § 15.06; Ord. No. 1095, § 1, 3-27-2007)

Sec. 16-07. Penalty.

Any person who shall violate any provision of this chapter or any regulation, rule or order made under this chapter shall be subject to a penalty as provided in section 1-05 of this Code.

(Code 1982, § 15.15)

Secs. 16-8—16-20. Reserved.

Article II. Plumbing Installation

Sec. 16-21. Water service materials and depth.

(1) All water pipes or lines laid underground shall be of type K copper tubing polywrapped, Class 52, cement lined, ductile iron from the city water main to the curb stop. After the curb stop, other material may be used as provided at SPS 384.30.

(2) All water laterals from the city water main to the lot line shall be laid in accordance with the provisions of section 16-24(3), (4) and (5) of this chapter.

(Code 1982, § 15.07; Ord. No. 998, § 3, 10-27-2003)

Sec. 16-22. Unsanitary installations.

The plumbing inspector shall report to the building services supervisor all instances where the plumbing in any building is contrary to the ordinances of the city, or is of faulty construction and liable to breed disease or sickness or is a menace to health. Upon complaint made to the plumbing inspector or building services supervisor by any person, the building services supervisor shall direct the plumbing inspector to examine all the plumbing in the building and report his findings, in writing, to the building services supervisor, suggesting such changes as are necessary to put the plumbing in the proper sanitary condition. The building services supervisor thereupon shall direct such changes to be made as he deems necessary and fix a time for doing the work.

(Code 1982, § 15.10)

Sec. 16-23. Sump pump piping.

Sump pump discharge piping shall be metallic piping or rigid PVC or ABS plastic piping. Flexible plastic shall not be used. The discharge shall terminate not less than 12 inches beyond the exterior of the structure. This section shall apply to all existing sump pump installations.

(Code 1982, § 15.12)

Sec. 16-24. Connections.

(1) Where "Y" or "T" openings are provided in sanitary sewer mains, private sanitary sewer laterals shall be connected to such openings by a licensed plumber. The director of public works shall be responsible for keeping the necessary records for the location of these openings and shall furnish a copy of such records to the plumbing inspector for the use of permit holders.

(2) Where no "Y" or "T" opening has been provided, the connection must be installed with a watertight sealed saddle fitting. A portion of the main sewer may also be removed and a "Y" or "T" section may be reinstalled with compression joints. These connections must be bedded at least six inches below and shaped around the pipe with at least three-fourths-inch sieve washed stone.

(3) Sanitary sewer laterals from the city sewer main to the property line shall be laid at a grade of one-eighth inch per foot grade after connection has been made. Provided, that in the event the depth of the sewer main is greater than eight feet, a riser may be used to obtain the eight-foot height level.

(4) All excavation necessary for the construction of sanitary sewer laterals shall be made by the permit holder. Excavations which are to be entered by city employees must be protected in conformity with the Tunnel, Trench and Caisson Code of the state industrial commission.

(5) The connections provided for in subsections (1), (2) and (3) of this section shall be made only under the supervision of the plumbing inspector, or some other city officer designated by him, and shall be left open by the permittee until approved by such official. Only the city engineer may grant a variance or exception to the provisions of this section, and then only for reasons of adverse soil conditions or the presence of other utilities.

(Code 1982, § 15.08)

Sec. 16-25. Cross connection control.

(1) *Definition.* A cross connection shall be defined as any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the City of Marshfield water system, and the other, water from a private source, water of unknown or questionable safety, or steam, gases or chemicals, whereby there may be a flow from one system to the other, the direction of flow depending on the pressure differential between the two systems.

(2) *Cross connection prohibited.* No person shall establish or permit to be established or maintain or permit to be maintained any cross connection. No interconnection shall be established whereby potable water from a private, auxiliary or emergency water supply other than the regular public water supply of the City of Marshfield may enter the supply or distribution system of the municipality, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by Marshfield Utilities and by the Wisconsin Department of Natural Resources in accordance with section NR 810.15(2) Wisconsin Administrative Code.

(3) *Inspection.* It shall be the duty of the city plumbing inspector to cause inspections to be made of all properties served by the public water systems where cross connections with the public water system are deemed possible. The frequency of inspections and reinspections based on potential health hazards involved shall be as established by the city plumbing inspector and as approved by the Wisconsin Department of Natural Resources.

(4) *Right of entry for inspection.* Upon presentation of credentials, the representative of the city plumbing inspector's office shall have the right to request entry at any reasonable time to examine any property served by a connection to the public water system of the City of Marshfield for cross connections. If entry is refused, such representative shall obtain a special inspection warrant under § 66.0119Wis. Stats. On request the owner, lessee or occupant of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system on such property.

(5) *Discontinuance of water service.* Marshfield Utilities is hereby 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. Water service shall be discontinued only after reasonable notice and opportunity for hearing under ch. 68 Wis. Stats., except as provided in subsection (6) of this section. Water service to such property shall not be restored until the cross connection has been eliminated in compliance with the provisions of this section.

(6) *Emergency discontinuance of service.* If it is determined by the Marshfield Electric and Water Department 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 clerk of the City of Marshfield and a copy delivered to the customer's premises, service may be immediately discontinued. The customer shall have an opportunity for hearing under chapter 68,

68, Wisconsin Statutes, within ten days of such emergency discontinuance.

(7) *Saving clause.* Nothing contained in this section shall be construed as conflicting with the state plumbing code adopted by this chapter by reference or the other provisions of this chapter, but shall be considered supplementary thereto.

(Code 1982, § 15.11)

Sec. 16-26. Construction of sanitary sewer laterals.

(1) All gravity flow sanitary sewer laterals constructed, altered or installed in the city shall be four-inch minimum in size, and shall be made out of either cast iron, PVC plastic, or ABS plastic material.

(2) The term "sanitary sewer lateral" as used in this section shall mean any drain used for transmitting sewage from outside of any foundation or other wall to the sanitary sewer main.

(3) Unless prevented by topography, each buildable lot must have a separate sanitary sewer lateral connected directly to a public sanitary sewer constructed in the street right-of-way adjacent to the buildable lot.

(4) Sanitary sewer laterals shall not be connected into manholes unless approved by the city engineer.

(Code 1982, § 15.09; Ord. No. 998, § 4, 5, 10-27-2003)

Sec. 16-27. Sewer lateral repair/replacement/abandonment.

(1) *Detecting problems.* All wastewater treatment personnel and public works personnel shall notify their supervisors whenever any possible broken sewer lateral or broken sewer main is detected. This shall include, but not be limited to, any unusual depressions in front yards, ditches or roadways, and to city crews operating the sewer television equipment and sewer cleaning equipment. The supervisors shall inform the director of public works who shall notify the city plumbing inspector of the possible problem.

(2) *Inspection of possible problems and testing.* The plumbing inspector shall inspect the site and shall conduct any necessary tests to verify clear water infiltration into the city sewer main. The plumbing inspector shall enlist the aid of wastewater treatment personnel or street division personnel to conduct any tests he deems necessary to verify clear water infiltration. Testing methods may be dye testing, smoke testing or visual inspections as deemed necessary. Clear water infiltration shall be verified by an inspection team of city employees, consisting of the plumbing inspector, wastewater superintendent and the assistant street superintendent and also the property owner.

(3) *Orders to the property owner.* Orders to the property owner shall be given as follows:

(a) Upon verification of clear water infiltration into the sewer main, the plumbing inspector shall issue an order to the property owner to replace or repair the lateral within a reasonable period of time. The owner shall contract with licensed personnel of his choice to replace or repair the lateral. The owner or contractor shall obtain a plumbing permit and notify the plumbing inspector when the excavation will commence. The plumbing inspector shall be at the job site at the time the replacement or repair is being made. The lateral shall be replaced for the entire length from the location of the break to the public sanitary sewer located in the street right-of-way. unless it is constructed of PVC/ABS plastic or cast iron (with rubber gaskets) which is otherwise in good condition. With PVC/ABS plastic or cast iron (with rubber gaskets) in good condition, a spot repair is allowed.

(b) Prior to or at the time of replacement of a lateral the plumbing inspector and wastewater treatment plant personnel shall inspect the remainder of the lateral from the break to the building being served. If the inspection determines it to be necessary orders shall be issued to the property owner to replace the remainder of the lateral from the break to the building being served.

(4) *Determination of responsibility and payment of repairs.* Determination of responsibility and payment of repairs shall be in accordance with the following:

(a) If the inspection team has determined that the city main is sound and that the sewer lateral must be replaced, he shall so notify the owner and advise him/her that all expenses regarding such replacement are his/hers before the actual replacement is made.

(b) If in the opinion of the inspection team, the sewer main or riser is broken or faulty outside of one foot from the lateral tap (see drawing) along with a faulty or broken lateral, he shall notify the owner that he/she may submit a claim to the city for partial payment of the bill.

(c) If the plumbing inspector, wastewater superintendent and assistant street superintendent have determined that all clear water infiltration is totally due to a faulty sewer main, he shall so notify the owner of the property and shall notify the owner that the expenses shall be paid for by the city.

(d) Determination of fault and partial fault shall be decided jointly with the plumbing inspector, director of public works and wastewater treatment superintendent. Such determinations shall be in writing, with copies to the property owner and the proper city committees, and the board of public works.

(e) The wastewater utility shall be responsible for all street and/or sidewalk repair costs associated with a replacement of a sanitary sewer lateral. This responsibility for street and/or sidewalk repair costs shall be retroactive to October 13, 1992.

(5) *Sewer lateral abandonment.* Procedures for abandonment of a sewer lateral shall be as follows:

(a) Any sanitary sewer lateral shall be considered abandoned if a building which it serves is being moved or razed. Prior to any building being moved or razed, any floor drain or cleanout in the building leading to the sanitary sewer shall have a temporary plug or cap installed in it. All abandoned sanitary sewer laterals must be properly capped within 30 days at the sanitary sewer main by the property owner. Only PVC/ABS plastic or cast iron (with rubber gaskets) sanitary sewer laterals in good condition can be used for new development on a property where a building has been moved or razed.

(b) An exception to the 30-day completion requirement shall be made for the time period of December 1 to April 15 of the following year and/or for the time period when a roadway is posted for "weight limits." The 30-day completion requirement shall be enforced after expiration of either of these limitations. During these exception time periods, the lateral for the razed building must be temporarily capped as approved by the plumbing inspector.

(6) *Reports*. The plumbing inspector shall report all clear water infiltration problems and corrective actions in writing monthly to the building services supervisor and wastewater treatment superintendent and quarterly to the director of public works. An annual report shall also be submitted to the director of public works, building services supervisor and wastewater treatment superintendent.

(Code 1982, § 15.091)

Secs. 16-28—16-40. Reserved.

Article III. Wells

Sec. 16-41. Purpose.

The purpose of this article is to prevent contamination of groundwater and to protect public health, safety and welfare by ensuring that unused, unsafe or noncomplying wells or wells which may serve as conduits for contamination or wells which may be illegally cross connected to the municipal water system are properly abandoned.

(Code 1982, § 15.13(1))

Sec. 16-42. Applicability.

This article applies to all wells located on premises served by the Marshfield Utility Commission municipal water system.

(Code 1982, § 15.13(2))

Sec. 16-43. 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:

Municipal water system means a system for the provision to the public of piped water operated by the Marshfield Utility Commission.

Noncomplying means a well or pump installation which does not comply with the provisions of ch. NR 811 Wisconsin Administrative Code in effect at the time the well was constructed, a contamination source was installed, the pump was installed or work was done on either the well or pump installation.

Pump installation means the pump and related equipment used for withdrawing water from a well including the discharging piping, the underground connections, pitless adapters, pressure tanks, pits, sampling faucets and well seals or caps.

Unsafe means a well or pump installation which produces water which is bacteriologically contaminated or contaminated with substances exceeding the standards of ch. NR 809 Wisconsin Administrative Code, or for which a health advisory has been issued by the department of natural resources.

Unused means a well or pump installation which is not in use or does not have a functional pumping system.

Well means an excavation or opening into the ground made by digging, boring, drilling, driving, or other methods for the purpose of obtaining groundwater for consumption or other use.

Well abandonment means the filling and sealing of a well according to the provisions of ch. NR 811 Wisconsin Administrative Code.

(Code 1982, § 15.13(3))

Sec. 16-44. Abandonment required.

(1) All wells located on premises served by the municipal water system shall be abandoned in accordance with the terms of this article and ch. NR 811 Wisconsin Administrative Code, no later than 60 days from the date of connection to the municipal water system, unless a well operation permit has been obtained by the well owner from Marshfield Utilities.

(Code 1982, § 15.13(4); Ord. No. 1044, § 1, 2-22-2005)

Sec. 16-45. Well operation permit.

Marshfield Utilities may grant a permit to a private well owner to operate a well for a period not to exceed five years providing the conditions of this article are met. An owner may request renewal of a well operating permit by submitting information verifying that the conditions of this article are met. Marshfield Utilities or its agent may conduct inspections or have water quality

tests conducted at the applicant's expense to obtain or verify information necessary for consideration of a permit application or renewal. Permit applications and renewals shall be made on forms provided by the clerk. The following conditions must be met for issuance or renewal of a well operation permit:

(1) The well and pump installation meet or are upgraded to meet the requirements of ch. NR 811 Wisconsin Administrative Code;

(2) The well construction and pump installation have a history of producing bacteriologically safe water as evidenced by at least two samplings taken a minimum of two weeks apart. No exception to this condition may be made for unsafe wells, unless the department of natural resources approves, in writing, the continued use of the well;

(3) There are no cross connections between the well and pump installation and the municipal water system; and

(4) The owner can demonstrate a need for continued current use of the well and pump installation.

(Code 1982, § 15.13(5))

Sec. 16-46. Abandonment procedures.

Procedures for abandonment shall be as follows:

(1) All wells abandoned under the jurisdiction of this article or rule shall be abandoned according to the procedures and methods of ch. NR 811 Wisconsin Administrative Code. All debris, pump, piping, unsealed liners and any other obstructions which may interfere with sealing operations shall be removed prior to abandonment.

(2) The owner of the well, or the owner's agent, shall notify Marshfield Utilities at least 48 hours prior to commencement of any well abandonment activities. The abandonment of the well shall be observed by the Marshfield Utility Commission.

(3) An abandonment report form, supplied by the department of natural resources, shall be submitted by the well owner to Marshfield Utilities and the department of natural resources within ten days of completion of the well abandonment.

Sec. 16-47. Penalties.

If any person fails to comply with this article for more than ten days after receiving written notice of the violation, such person shall be subject to the penalty as provided in section 16-07 of this Code, and the City of Marshfield may cause the well abandonment to be performed and the expense to be assessed as a special tax against the property.