



## Legislation Details (With Text)

|                        |                                                                                                                       |                      |   |                            |                    |
|------------------------|-----------------------------------------------------------------------------------------------------------------------|----------------------|---|----------------------------|--------------------|
| <b>File #:</b>         | 70676                                                                                                                 | <b>Version:</b>      | 1 | <b>Name:</b>               | Lead Water Service |
| <b>Type:</b>           | Ordinance                                                                                                             | <b>Status:</b>       |   | <b>Items Referred</b>      |                    |
| <b>File created:</b>   | 3/24/2022                                                                                                             | <b>In control:</b>   |   | <b>WATER UTILITY BOARD</b> |                    |
| <b>On agenda:</b>      | 4/19/2022                                                                                                             | <b>Final action:</b> |   |                            |                    |
| <b>Enactment date:</b> |                                                                                                                       | <b>Enactment #:</b>  |   |                            |                    |
| <b>Title:</b>          | Amending Section 13.18 of the Madison General Ordinances to Update the Lead Water Service Line Replacement Ordinance. |                      |   |                            |                    |
| <b>Sponsors:</b>       | Nasra Wehelie                                                                                                         |                      |   |                            |                    |
| <b>Indexes:</b>        |                                                                                                                       |                      |   |                            |                    |
| <b>Code sections:</b>  |                                                                                                                       |                      |   |                            |                    |
| <b>Attachments:</b>    |                                                                                                                       |                      |   |                            |                    |

| Date      | Ver. | Action By         | Action                    | Result |
|-----------|------|-------------------|---------------------------|--------|
| 4/19/2022 | 1    | FINANCE COMMITTEE | Refer                     |        |
| 4/19/2022 | 1    | COMMON COUNCIL    |                           |        |
| 3/24/2022 | 1    | Attorney's Office | Referred for Introduction |        |

### Fiscal Note

The proposed resolution would modify the requirements and payout of the Water Utility Lead Water Service Line Replacement Ordinance. Under current policy, the program pays out \$1,500. The resolution would increase the payout to \$2,500 for each lead service line replaced and modify certain application requirements.

The Water Utility funds this program with revenue from leasing water towers to be used as cell towers. In 2021, the budget for tower revenues was \$260,000, and \$288,500 was received (MUNIS 86547200-43522-00000). The 2021 expense associated with this program was \$26,624. No additional appropriation is required.

### Title

Amending Section 13.18 of the Madison General Ordinances to Update the Lead Water Service Line Replacement Ordinance.

### Body

DRAFTER'S ANALYSIS: This ordinance amends the Lead Water Service Line Replacement Ordinance. The reimbursement program payment is being increased to \$2,500, and the program submittal requirements are being updated to require the submittal of three bids from licensed plumbers. In addition, the Water Utility will be required to inspect the service replacement following completion. Moreover, this ordinance is being amended to specifically provide that disconnection or refusal of service is a potential penalty in the event of non-compliance with the lead water service line replacement requirements.

\*\*\*\*\*

The Common Council of the City of Madison do hereby ordain as follows:

1. Subdivision (a) of Subsection (6) entitled "Financing of Replacement" of Section 13.18 entitled "Lead Water Service Line Replacement" of the Madison General Ordinances is amended as follows:

"(a) The Water Utility may, contingent on availability of funding, administer lead service replacement reimbursement program. Upon application to the Water Utility, owners, managers or persons otherwise

exercising control over properties with lead customer-side water service lines who replaced such lines after November 1, 2016, in accordance with applicable Utility rules, guidelines and schedules, and who have complied with all of the provisions of this ordinance will be eligible for a reimbursement payment not to exceed fifty percent (50%) of the cost of replacement of any lead customer-side water service line in use, up to a maximum of ~~\$1,500~~ \$2,500 for each service line replaced. Application for reimbursement must include, ~~as documentation of replacement and cost,~~ three (3) bids from licensed plumbers, the lowest of which shall serve as the cost of replacement. In addition to a payment receipt from a licensed plumber for replacing the lead customer-side water service line at the subject property, the Water Utility shall inspect the service replacement to ensure the work was performed. Disputes regarding eligibility for reimbursement may be appealed to the Water Utility Board.”

2. Subdivision (c) of Subsection (8) entitled “Penalties” of Section 13.18 entitled “Lead Water Service Line Replacement” of the Madison General Ordinances is created as follows:

“(c) In addition to the penalties set forth in this subsection, and consistent with the authority provided under Wis. Admin Code ch PSC 185.37(2)(g) and the Water Utility’s rules of service, the Water Utility, after providing notice and a reasonable opportunity to remedy the situation, may disconnect or refuse service to a property in violation of this Section.”