Legislation Details (With Text)

File #:	24540	**Version:**	1	**Name:**	Water Service Area Limitations
Type:	Ordinance			**Status:**	Passed
File created:	11/14/2011			**In control:**	WATER UTILITY BOARD
On agenda:	2/7/2012			**Final action:**	2/7/2012
Enactment date:	2/16/2012			**Enactment #:**	ORD-12-00016
Title:	Amending Sec. 13.16 of the Madison General Ordinance to update the water service area limitations.				
Sponsors:	Paul R. Soglin				
Indexes:					
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Date	Ver.	Action By	Action	Result
2/7/2012	1	COMMON COUNCIL	Adopt	Pass
1/24/2012	1	WATER UTILITY BOARD	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
11/29/2011	1	COMMON COUNCIL	Referred	
11/14/2011	1	Attorney's Office/Approval Group	Referred for Introduction	

Fiscal Note

No appropriation required.

Title

Amending Sec. 13.16 of the Madison General Ordinance to update the water service area limitations.

Body

DRAFTER'S ANALYSIS: This ordinance amends Sec. 13.16 of the Madison General Ordinances to update the water service area limitations. This section has not been amended since 2002, and currently limits water service area extensions beyond the municipal limits to properties subject to intergovernmental agreements or cooperative plans with the City of Fitchburg, the City of Monona, the Village of Maple Bluff and the Village of Shorewood Hills. However, since 2002, the City has entered into cooperative plans with the Town of Madison and the City of Fitchburg (Oct. 10, 2003), the Town of Middleton (Dec. 11, 2003), the Town of Blooming Grove (Oct. 3, 2006), and the Town of Burke, the Village of De Forest and the City of Sun Prairie (May 4, 2007), and portions of these cooperative plans have required the City to provide water service to properties located outside of the City, usually subject to a delayed attachment of the property to the City. This amendment updates the water service area limitations in this section to include service area extensions to properties covered by intergovernmental agreements and approved cooperative plans, regardless of which municipalities are involved. This amendment will be much less burdensome then requiring a new paragraph under sub. (2) (d) each time service is extended beyond the municipal boundary pursuant to an intergovernmental agreement or approved cooperative plan, and will make all such existing connections consistent with the ordinance. This amendment will also allow the City to enter into future intergovernmental agreements and cooperative plans that cover water service area expansions without having to re-amend this section.

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

Subsection (2) entitled “Area to be Served” of Section 13.16 entitled “Fixing the Area in Which Water Service is to be Extended Beyond the Municipal Limits” of the Madison General Ordinances is amended to read as follows:

"(2) Area to be Served. Pursuant to Sec. 66.0813(3), the City may provide water service to the following:

(a) all properties located within the corporate limits of the city of Madison;

(b) ~~designated~~ properties identified by intergovernmental agreement; ~~or~~

(c) properties permitted to connect to City services pursuant to the terms and conditions of a state-approved cooperative plan, effective upon state-approval or conclusion of any appeals upholding the validity of the cooperative plan, whichever is later; ~~, and located in the cities of Fitchburg and Monona and within the villages of Maple Bluff and Shorewood Hills,~~ and,

(~~c~~d) in unincorporated areas, limited to serving existing development with existing water services on properties located in the following specific territories:

1. Sanitary District Number Two, Town of Blooming Grove, Sanitary District Number Six, Town of Blooming Grove, all as constituted on June 9, 1955;
2. what is now known as the Oakridge Sanitary District, consisting of the original Oakridge Sanitary District, the first, second and third Additions to Oakridge Sanitary District and the Mayflower, Haen and Beltline Additions to Oakridge Sanitary District, all as now constituted in the Town of Madison;
3. in the southwest quarter of the southwest quarter of Section 31 in the Town of Burke, bounded on the northeast by the Union/Pacific Railroad right-of-way, on the south by Commercial Avenue, and on the west by Sherman Avenue;
4. Section 12 in the Town of Madison;
5. the Nine Springs Wastewater Treatment Plant;
6. the Dane County Exposition Center;
7. Lots 1 and 2 of Certified Survey Map Number 526;
8. Part of the southwest quarter of the northeast quarter Section 3, Town of Fitchburg lying west of the centerline of Fish Hatchery Road except north 24.75 feet and except for the part for the street;
9. Blooming Grove Sanitary District, Number 8.

(~~d~~e) in unincorporated areas, properties specified above in subdivision (~~c~~d) which request new or replacement water service to serve new development or redevelopment on such properties, provided that: the Common Council approves any necessary extension to the distribution system; the General Manager approves the plans for the extensions, if any; and the applicant must have any such extensions installed at its own expense."

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