

**VILLAGE OF WALWORTH
WALWORTH COUNTY, WISCONSIN**

Ordinance No. 2025-3

AN ORDINANCE AMENDING ORDINANCE 2024-3 ADOPTING SECTION 9-2-37, LEAD WATER LATERAL SERVICE REPLACEMENT, OF THE CODE OF ORDINANCES FOR THE VILLAGE OF WALWORTH

Whereas, the risk of lead exposure from corroding lead drinking water lateral services is well documented; and

Whereas, the Village of Walworth has many privately-owned existing lead water service laterals which require replacement; and

Whereas, the Village of Walworth must meet the Wisconsin Department of Natural Resource requirements for local compliance with the federal Lead and Copper Rule; and

Whereas, Title 9, Chapter 2 of the Code of Ordinances regarding water utility regulations currently does not require property owners to replace their lead water service lateral; and

Whereas, the Village of Walworth is responsible to providing safe drinking water to our residents, daycare centers, and schools; and

Whereas, the Board of Trustees of the Village of Walworth has determined that for the health and safety of the residents of the Village, particularly the children of the Village, that it is necessary to require the replacement of lead water service laterals.

NOW, THEREFORE, the Board of Trustees of the Village of Walworth, Wisconsin does hereby ordain as follows:

1. That Title 9 - Public Utilities, Chapter 2 - Water Utility Regulations of the Code of Ordinances for the Village of Walworth shall be amended by creating and incorporating a new Section 9-2-37 to be entitled "*Lead Water Lateral Service Replacement*" to read as follows:
 - (a) *Identification of Lead Water Service Lateral Lines.*
 - (1) Upon notice from the Utility, any persons or entity who owns, manages or otherwise exercises control over a property connected to the water distribution system shall allow the Utility to inspect the private water service lateral to determine the material of construction as authorized by Wisconsin State Statute 196.171.
 - (2) The Utility shall create and maintain a record of the location of all identified lead service lines in the Village.
 - (3) For purposes of this Ordinance, lead water service lines shall also include galvanized water service lines in accordance with regulatory requirements.
 - (b) *Lead Water Service Lateral Replacement Requirement.* Owners, managers

or persons exercising control over property within the Village of Walworth Water Utility system with a lead water service lateral shall replace the line in accordance with the following requirements:

- (1) All existing lead water service laterals connected to the distribution system shall be replaced with water service lines constructed of materials approved by the Water Utility.
- (2) The property owner shall, at the owner's expense, replace the lead water service lateral under a schedule established by the Utility.
- (3) Existing lead water service laterals that develop a leak or otherwise need repair may not be repaired, but must be replaced.

(c) *Application and Scheduling.*

- (1) Owners, managers or persons otherwise exercising control over properties shall obtain from and submit to the Village, in accordance with its service rules, an Application for Water Service which states an intention to replace the private lead water service lateral.
- (2) The Application for Water Service shall be filed no later than one week prior to replacement to allow for the coordination of replacement and inspection as necessary.
- (3) The Village will notify customers at least 30 days prior to the date that their private lead water service lateral must be replaced to comply with this section.

(d) *Financial Responsibility and Assistance.*

- (1) The Village shall be responsible for the cost of replacing the portion of the lead water service lateral between the public water main and the curb stop crossing public property. The property owner shall be responsible for the cost of replacing the portion of a lead water service lateral downstream of the curb stop crossing public and private property.
- (2) The Village will establish a program to provide financial assistance to property owners replacing lead water service laterals in the form of low-interest loans. Repayment of the loan amount shall be secured by the Village's right to special charge as provided by §66.0627 of the Wisconsin Statutes.
- (3) Repayment shall be made annually through special charge on the property tax bill in accordance with the Special Charge Report. The Village shall follow its customary practice in collecting Special Charges placed on the tax rolls, including assessing penalties and charging interest, and initiating foreclosure proceedings where appropriate. The Property Owner may prepay all, or a portion, of the balance of the loan without premium or penalty.
- (4) Special Charges collected for private lead water service replacement loan payments shall be placed in a segregated fund and disbursed in accordance with the requirements of the Village funding sources. The Village shall keep an accounting of private lead water service replacement loans and payments received and provide borrowers with that information upon request.

(e) *Authority to Discontinue Service.* As an alternative to any other methods provided for obtaining compliance with this section regarding replacement

of the illegal private lead water service lateral, the Utility may, after at least thirty (30) days of giving notice, discontinue water service to such property served by illegal private lead water service lateral after reasonable opportunity has been given to make the appropriate replacement.

2. That this Ordinance shall become effective upon adoption and publication in accordance with applicable State Statutes.

Adopted by the Village of Walworth Board of Trustees on this 14th of April, 2025.



Louise Czaja, Village President



Lisa Rogers, Clerk/Treasurer