

CHAPTER 32

PLUMBING CODE

32.01 DEFINITION

Plumbing for the purpose of this chapter is hereby defined as follows:

(a) As is stated in Section 145.01 (1), (a), (c), (d), and (e) of the Wisconsin Statutes.

(b) The construction, connection to or alteration of any drain, soil or waste pipe to carry domestic sewage, storm water or industrial waste from a point 3 feet outside of the foundation walls of any building to the sewer lateral at the curb or other disposal terminal, including the private sewage disposal or treatment plant. This definition does not include minor repairs to faucets and the removal of stoppages in soil or waste pipes.

32.02 STATE CODE ADOPTED

The provisions and regulations of the Wisconsin State Plumbing Code adopted by the State Division of Health of Wisconsin are hereby made a part of this chapter by reference, and shall extend over and govern the installation of all plumbing installed, altered or repaired in the Town of Lisbon.

32.03 PLUMBING INSPECTOR

(a) There is hereby created the position of Plumbing Inspector who shall be appointed by the Town Chairman and approved by the Town Board, for a term of 2 years, expiring on May 1 of odd numbered years. The Plumbing Inspector shall be licensed plumber. The Plumbing Inspector shall be compensated for his services as Plumbing Inspector by the payment of all permit fees received by the Town Treasurer, except the sum of \$1.00 for each permit for the installation of plumbing fixtures or water connected appliances shall be retained by the town for reimbursement to the town for its expenses in the administration and enforcement of the Plumbing Code as provided in Section 32.06(b). The Plumbing Inspector shall perform such duties as are provided in Chapter 145 of the Wisconsin Statutes and shall make monthly and annual reports to the Town Board.

(b) The Plumbing Inspector shall be under the direct supervision of the Town Board and shall enforce all provisions of this chapter. He shall prepare suitable forms for applications, permits and other reports.

32.04 AUTHORITY OF PLUMBING INSPECTOR

(a) The Plumbing Inspector shall have authority, which is hereby granted, to enter all buildings in the Town of Lisbon in the performance of his duties between the hours of 8:00 a.m. and 8:00 p.m. daily, except Sunday. Any person who shall willfully or knowingly resist or obstruct the Plumbing Inspector in the performance of his duties shall be deemed guilty of a violation of this chapter.

(b) The Plumbing Inspector is authorized to withhold approval of an application for a plumbing permit to any person who has not complied with a lawful order of the Plumbing Inspector. The person refused such a permit may appeal within 10 days to the Town Board.

(c) It shall be the duty of the plumber in charge to notify the Plumbing Inspector whenever any work is ready for inspection; i.e., soil, vent, underground drain, final inspection. All plumbing work shall be left exposed until such time as the Plumbing Inspector has completed his examination and inspection. When in the opinion of the Plumbing Inspector a test is necessary, he may require a water or air test on any part of the installation.

(d) In case of the absence or the inability of the Plumbing Inspector to act, the Town Board may appoint a Deputy Plumbing Inspector who shall have the same powers as the Plumbing Inspector.

32.05 PERMITS

(a) Required

No plumbing shall be installed in the Town of Lisbon without first filing an application and receiving a permit so to do. Before a permit to install plumbing may be issued, a plot plan of the premises upon which the plumbing is to be installed shall have been approved by the Building Inspector and Plumbing Inspector. This plot plan shall include the following:

- (1) The size of the building and its location on the lot.
- (2) The size and location of the proposed system of private sewage disposal.
- (3) The location in feet of all water wells not on the lot but within 45 feet of it.
- (4) The location of the water well on the lot.
- (5) The location in feet of any system of private sewage disposal that is less than 20 feet from the lot.
- (6) The slope or slopes of the land surface of the lot is feet per 100 feet or percent of slope.
- (7) The location of all percolation test holes and the data of the test of each hole. This means the rate in minutes for the water to fall one inch, plus any data from boring if needed.

(b) Lot Size

No permit to install plumbing may be issued unless the lot on which the system of private sewage disposal is to be installed is large enough to install such a system in full compliance with Section H62.20 of the Wisconsin Administrative Code. This shall not apply to plumbing to be installed inside an existing building.

(c) Percolation tests

Percolation test data shall be accepted only from a person or firm that have been certified and registered with the Town Board.

(d) Approval

Each application must be approved by the Plumbing Inspector before a permit to install plumbing may be issued. Licensed master plumbers only may receive such permits, with the exception that a permit may be issued to a property owner to install plumbing in a single family residence which is owned and occupied by such owner.

(e) Excavations

A permit must be applied for and received before excavating in any street, alley or other public way to repair, alter or install plumbing. No charge shall be made for such permit, but the applicant must furnish a bond as provided in Section 32.07

(f) Expiration

A plumbing permit shall be voided when installation work has not started within 3 months from the date such permit was issued. It may also be voided upon written request of the person who received the permit.

(g) Performance of Work

The holder of the permit or his employees shall install all plumbing listed in the application.

32.06 SCHEDULE OF PERMIT FEES

(a) The Town Board shall, from time to time, adopt a schedule of permit fees which shall remain in effect until repealed, rescinded or modified by subsequent Board action.

(b) Such fees must be paid at the time the permit is issued. All permit fees collected by the Plumbing Inspector shall be paid to the Town Treasurer and the sum of \$1.00 of the fees collected by the Plumbing Inspector for a permit for the installation of plumbing fixtures or water connected appliances shall be retained by the town for reimbursement to the town for its expenses in the administration and enforcement of the Plumbing Code.

32.07 BOND

Before a permit may be issued for excavating for plumbing in any public street, way or alley, the person applying for such permit shall have executed unto the Town of Lisbon and deposited with the Town Clerk a corporate surety bond to be approved by the Town Board in the sum of \$1,000, conditioned that he will perform faithfully all work with due care and skill and in accordance with the laws, rules, and regulations of plumbing. The bond shall state that the person will indemnify and save harmless the Town of Lisbon and the owner of the premises against all damages, costs, expenses, outlays and claims of every nature and kind arising out of the unskillfulness or negligence on his part in connection with plumbing or excavating for plumbing as prescribed in this chapter. Such bond shall remain in force and must be executed for a period of one year, except that on such expiration it shall remain in force as to all penalties, claims and demands. That may have accrued thereunder prior to such expiration.

32.08 AREAS WITHOUT PUBLIC SEWERS

Wisconsin Administrative Code Commerce 85 entitled "Soil and Site Evaluations" is hereby made a part of this Chapter by reference and shall be enforced by the Town plumbing inspector except that no residential structure shall be permitted in the Town without an on-site sewage disposal system.

32.09 SEPTIC TANK REGULATIONS

These regulations apply to private sewer systems.

(a) Terms used herein mean as follows:

Seepage Trench: A trench in which a layer of crushed stone or other loose material has been installed for the purpose of filtering septic tank effluent before it is absorbed into the subsoil.

Seepage Bed: A seepage bed is similar to a seepage trench, but is more than 3 feet wide and shall have more than one line of drainage tiling laid over the filtering material.

(b) In addition to the septic tank manhole, a 4 inch diameter cleanout shall be installed directly over the center of the tank inlet baffle and extended to the grade. This cleanout shall be of the same materials and design as the house sewer cleanout. When desired, in writing, by the owner of a private home, the cleanout may be just under the sod if it is plainly marked or otherwise made easy to locate.

(c) The minimum distance that a septic tank shall be from any building is 5 feet. Septic tanks shall be no less than 10 feet from any basement wall.

(d) The house sewer from inside the building to the septic tank shall be of cast iron pipe with leaded joints that are well caulked, or type M copper tubing.

(e) All household waste shall be piped to the septic tank, including all floor draining.

(f) The excavated area shall be covered with crushed stone or slag not less than $\frac{3}{4}$ inch in diameter and to a depth of one foot. This stone or slag shall be graded with a uniform grade of 4 inches in 100 feet. The seepage tiling or piping should be laid on the slag and shall have the same grade. The whole area shall be covered with 15 pound tarred felt or equal and then the trenches or beds may be backfilled.

(g) The minimum trench width shall be 24 inches at the bottom. No seepage tile or pipe shall be installed to discharge over a width of stone more than 36 inches across. Seepage beds may not have tiling more than 36 inches apart.

(h) Seepage trenches shall be not less than 8 feet apart, except at the starting point.

(i) No single length, or any length, of seepage tile or piping shall be more than 100 feet long. To accomplish this, a distribution box, or automatic siphon, shall be installed. The distribution box shall not be less than 18 inches in diameter, or if of a different shape, the cross sectional area inside the box shall be not less than 255 square inches. The box shall have no bottom. All inlets and outlets shall be not less than 2 inches above the earth bottom of the box. The box may be made of concrete, masonry or metal and shall have a manhole extended to the grade. A seepage pit may be installed in place of a distribution box.

(j) All water pumps shall be installed in compliance with the Wisconsin Well Construction and pump installation Code as of April 10, 1953, and any future amendments to such code. The code is hereby made a part of this chapter by reference.

(k) This section does not obligate the Plumbing Inspector, the installer, or the Town Board of the Town of Lisbon to guarantee how long any private sewage disposal system will operate in a satisfactory manner. When the provisions of this chapter have been fully complied with, the resulting system should give the maximum results that the subsoil is capable of producing.

32.10 STREET OPENINGS

(a) No openings in streets, alleys or other public ways to install plumbing will be permitted when the ground is frozen, except when necessary. In opening any street or other public way, all materials for paving or ballasting shall be removed with the least possible injury or loss and together with the excavated material from the trenches shall be placed where the least practicable inconvenience to the public will be caused, and admit the free passage of water along the gutters.

(b) All openings made in the public streets or alleys in accordance with permissions given pursuant hereto shall be enclosed with sufficient barriers, and red lamps shall be maintained upon the same at night, and all other necessary precautions shall be taken to guard the public against accidents from the beginning to the completion of the work. Sewers and drains may be laid only on condition that the excavator or plumber is bonded as hereinbefore mentioned for all damages that may result from his neglect of necessary precaution against all accidents to persons or property of others.

(c) In opening a trench on any street or lot, the sidewalk materials, sand, gravel and earth, or whatever material is removed or penetrated, must be replaced in precisely the same condition and relation to the remainder as it was before. All rubbish must be removed at once, leaving the street or sidewalk in perfect repair and must be so maintained for a period of one year thereafter. All gas, water and electric lines or conduits must be protected from injury or settling in a manner approved by the Plumbing Inspector.

(d) When any excavation is made in a permanently paved road or street or in any road or street which is to be permanently paved, all clay or hard pan must be removed and the excavation entirely backfilled with sand or gravel thoroughly wet and consolidated. Any tunnel dug in such road or street shall be backfilled with concrete in a manner approved by the Plumbing Inspector.

32.11 SEWAGE HOLDING TANKS FOR BUSINESS, INDUSTRIAL AND PUBLIC USES

(a) Public Policy. In order to provide for construction of business, industrial and public buildings in areas in which no public sewers are available and where the soil conditions are such that a percolation test cannot be made which would satisfy the requirements of the State Board of Health, the Plumbing Code of the Town of Lisbon and the Health Code of Waukesha County, the installation of sewage holding tanks shall be permitted until such time as public sewers are available and in accordance with the terms of this section.

(b) Definitions. In this section "business" buildings are defined to be building principally used for the conduct of any business upon the premises; "Industrial" buildings are defined to be buildings principally used for industrial purposes; "public" buildings are defined to mean any structure used in whole or in part as a place or resort, assemblage, lodging, trade, traffic, occupancy or used by the public or by three or more tenants.

(c) Prior to any approval for the installation of any sewage holding tank, percolation tests must be made in accordance with the provisions of the Town of Lisbon Plumbing Code, the Waukesha County Health Code and the regulations of the State Division of Health of the Department of Health and Social Services which would establish the fact that the soil conditions are such that a septic tank disposal system would not function properly in accordance with the regulations of the Town of Lisbon Plumbing Code, the Waukesha County Health Code and the State Division of Health of the Department of Health and Social Services.

(d) Plans and specifications for the installation of a sewage holding tank must be submitted to the Plumbing Inspector of the Town of Lisbon, the Waukesha County Health Department, and the State Division of Health of the Department of Health and Social Services by the owner of the real estate where said sewage

holding tank is proposed to be installed for their approval; such approvals must be obtained before the proposed sewage holding tank is installed.

(e) It shall be the responsibility of the owner to maintain the system at all times in good operating condition and remove the sewerage therefrom at such times as is required to maintain said system in good operating condition. The Plumbing Inspector shall make periodic inspections of the facility and if he shall find any defect in the operation or maintenance of the system, or in the removal of sewerage therefrom, the owner shall correct the same within five (5) days after written notice from the plumbing inspector, and if the owner fails to make such corrections within the time provided, the Town may then make such corrections and charge such cost to the property owner as an assessment for current services rendered to the property by the municipality in accordance with the provisions of § 66.60(16), Stats.

(f) If the Town shall be required to remove sewerage from the sewage holding tank because of the owner's failure to do so, as required in the proper operation of the system, or if the Town shall be required to repair or service such sewage holding tank due to any neglect or deficiency by the owner, this shall constitute a violation of this section and, the costs and expenses incurred by the Town to remove sewerage from the sewage holding tank, or to service and repair the holding tank shall be deemed an assessment for current services rendered to the property by the municipality in accordance with the provisions of § 66.60(16), Stats.

(g) If the Town shall be required to remove sewerage from such sewage holding tank because of the owner's failure to do so at the times required for such removal in order to prevent such sewage holding tank from overflowing or become a public nuisance, or in the event the owner fails to make any needed or necessary repairs thereto or fails to properly maintain the same, the Town may then cause the removal of the sewerage from the sewage holding tank or make such repairs as may be necessary thereto, and charge such cost to the property owner as an assessment for current services rendered to the property by the municipality in accordance with the provisions of § 66.60(16), Stats.

(h) Sewage Holding Tanks for Residential Use.

(1) Sewage holding tanks will be permitted for existing residential use where it has been determined by the Plumbing Inspector and the Waukesha County Health Department that the existing sewage disposal system upon the premises is inoperative based on percolation tests and boring tests, and does not meet the requirements of the Waukesha County Health Department, and that the construction of a new sewage disposal system would not be approved by the Waukesha County Health Department. No permit shall be issued for a sewage holding tank for existing residential use until a written report is filed with the Town Board for the Waukesha County Health Department indicating that a holding tank is the only solution acceptable to the Waukesha County Health Department.

(2) Plans and specifications for the installation of a sewage holding tank for residential use is herein provided must be submitted to the Town Board of the Town of Lisbon and the Waukesha County Health Department by the owner of the real estate where said holding tank is proposed to be installed for their approval. Such approvals must be obtained before the proposed sewage holding tank is installed.

(k) State Code Adopted

The provisions of Section H62.20 of the Plumbing Code of the State of Wisconsin are hereby adopted by reference and made a part of this section. Any amendments, modifications or changes in said Plumbing Code shall become a part of this section.

(l) Special Assessments

Notwithstanding anything contained herein to the contrary, the Town Board may, in lieu of accepting and/or retaining cash deposits required to be filed with the Town Clerk on order to guarantee reimbursement of the town for any expenses incurred in the inspection, operation or pumping of a sewerage holding tank, as well as to reimburse the town for any legal action required by the town relating to the installation, operation and maintenance of the holding tank, permit the property owner to consent to the levy of a special assessment upon the property in the event the town is required to expend any money for inspection, operation or pumping of the sewerage holding tank, as well as to reimburse the town for any legal action

required by the town relating to the installation operation and maintenance of the holding tank. The consent to the levying of a special assessment to reimburse the town for those expenditures shall be prepared by the Town Attorney, shall be executed by all record owners of the property. Shall be recorded in the office of the Register of Deeds for Waukesha County, Wisconsin, and shall be binding upon the owners granting their consent to the levying of such special assessments, as well as their heirs, successors and assigns.

32.12 ADMINISTRATIVE CODE ADOPTED

(a) Section NR 112.21 of the Wisconsin Administrative Code, as the same exists as of the adoption of the ordinance, and as the same may be amended from time to time, is hereby adopted and incorporated in the Town Code by reference.

(b) Enforcement

The Plumbing Inspector shall be responsible for enforcement of this ordinance.

(c) Compliance

Within 15 days of permanent or temporary abandonment of a well, the owner of the property on which the well is located shall comply with the requirements of NR 112.21 as the same has been incorporated herein by reference.

(d) Penalty

In the event the owner of any property fails to comply with the terms of this ordinance, the Plumbing Inspector shall notify the property owner that compliance with this ordinance is required within a specified period of time, but in all events, not to exceed 30 days after such written notice is issued. In the event the property owner fails to comply with the terms of the written notice issued by the Plumbing Inspector, then in that event, the Plumbing Inspector shall fill and /or seal the well as provided in NR 112.21, and the cost thereof shall be charged against the property owner and added to the property owner's real estate tax bill as a special assessment in accordance with Wisconsin Statutes. In addition, an inspection fee of \$25, which will be payable to the Plumbing Inspector, shall be added to the actual costs incurred by the town.