

**CHAPTER 28**

**WATER**

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**ARTICLE I. WATER UTILITY**

**SECTION 28-1 DEPARTMENT OF PUBLIC UTILITIES.**

The Director of Public Utilities shall be appointed by the City Manager, as authorized by Section 2-23.

**SECTION 28-2 MANAGEMENT OF WATER UTILITY.**

- (A) Policy Matters.  
All matters of policy concerning the operation, maintenance, functioning, expansion and general control of the Water Utility shall be determined by the Common Council.
- (B) Administrative Matters.  
All matters of an administration or executive nature concerning the operation, maintenance and functioning of the Water Utility shall be within the jurisdiction of the Department of Public Utilities, subject to the control and management of the City Manager.

**SECTION 28-3 CONSTRUCTION WORK.**

The Board of Public Works shall supervise actual construction work, shall report on same to the Common Council and shall follow its instructions.

**SECTION 28-4 APPLICATION OF INCOME.**

The income of the utility shall be first used to meet operating expenses, expenses of maintenance, depreciation, interest, and sinking fund requirements, additions and improvements, and other necessary disbursements or indebtedness. Income in excess of these requirements may be used to purchase and hold interest bearing bonds issued for the acquisitions of the utility, or bonds issued by the United States, or any municipal corporation of this State, as determined from time to time by the Common Council.

**SECTION 28-5 TAPPING AND CONNECTION TO WATER MAINS.**

- (A) Water Main to be Tapped by City only.  
No person except an employee of the Water Utility, shall tap or cause to be tapped any water main or connection thereto between the meter and the main, or interfere with any part or fitting from and including the water main to the meter. Services from the water main to the outside water shut-off box may be laid, however, by duly licensed plumbers upon permit by the Water Utility and under the supervision of the superintendent of Outside Construction.
- (B) Connection with Sprinkler System Prohibited.  
No connection, whether metered or not, shall be permitted from any sprinkler system. All services shall run directly from the main to the meter.
- (C) Valves to be Operated by City Employees Only.  
No person, except employees of the water Utility, shall open or close any valve or stop box in the public streets.

**SECTION 28-5.1 INTERFERENCE WITH UTILITY OFFICERS/AGENTS**

The provisions of Section 196.171, Wisconsin Statutes, pertaining to interference with Utility officers and agents, exclusive of penalties, is adopted by reference and is incorporated fully in this Code. It is the intent of this Section to include all future amendments, modifications, revisions and renumberings unless otherwise expressly provided in such references. Any act required to be performed or prohibited by the statute incorporated herein is required or prohibited by this Section. Any person convicted of violating this Section shall be subject to penalties contained in Article II of this Chapter.

**ARTICLE II. PENALTIES****SECTION 28-6. PENALTIES.**

Any violation of any of the provisions of Article I shall subject the violator to a penalty of not less than Seventy-five Dollars (\$75.00) nor more than Five Hundred Dollars (\$500.00), together with the cost of prosecution, and in default in payment thereof, by imprisonment in the County Jail until such fine and costs are paid but not exceeding thirty (30) days.

**ARTICLE III. WATER USE**

**SECTION 28-7 WATER USE LIMITATIONS**

Whenever in the opinion of the City Manager, the necessity to limit water usage exists due to weather conditions, water usage, electrical power outages or other cause, the City Manager is hereby empowered, authorized and directed, for such time as the necessity for water use limitations exists, to issue orders and regulation restricting the use of water. Such restrictions may include any or all of the following. No person, owner or occupant of any lot or premises served by the Oshkosh waterworks shall:

- (A) water or sprinkle or allow the same of a lawn, garden or premises with water from the Oshkosh waterworks on odd numbered dates on lots or premises having odd numbered house and building numbers.
- (B) water or sprinkle or allow the same of a lawn, garden or premises with water from the Oshkosh waterworks on even numbered dates on lots or premises having even numbered house and building numbers.
- (C) water or sprinkle or allow the same of a lawn, garden or premises with water from the Oshkosh waterworks when a water emergency has been declared.
- (D) wash any vehicle with water from the Oshkosh waterworks, except in a car wash business.
- (E) fill swimming pools with water from the Oshkosh waterworks.
- (F) utilize with water from the Oshkosh waterworks for any other non-essential water usage.

No such order or declaration made by the City Manager pursuant to the authority granted in this ordinance shall be effective until the proper City officials shall have caused announcement thereof to be made by at least one (1) radio station whose normal operating range covers the City. Upon such announcement, it shall be unlawful for any person, owner, or occupant to use water from the Oshkosh waterworks in violation of the order or declaration. Such emergency or limitation shall continue for such period as specified in the declaration or order.

SECTION 28-8 REPEALED  
SECTION 28-9 REPEALED

**SECTION 28-10 WATER USE LIMITATIONS-PENALTIES FOR VIOLATIONS.**

Any person who shall violate any of the provisions of this Chapter or any Section thereof, shall upon conviction thereof, be punished by a forfeiture of not less than \$75.00 nor more than \$500.00, together with the costs of prosecution and in default of payment thereof, by imprisonment in the County Jail for a period not to exceed sixty (60) days. Each day of violation shall constitute a separate offense.