

**AUTHORIZATION TO REPLACE PRIVATE LEAD SERVICE LINE  
(OR PRIVATE GALVANIZED STEEL SERVICE LINE DOWNSTREAM OF A KNOWN LEAD SERVICE)**

Temporary Right of Entry, Construction Easement, and Hold Harmless Agreement

The owner of the property at the physical address below (print name) \_\_\_\_\_ (“Owner”) grants to Stoughton Utilities and its employees, agents, and contractors and to the City of Stoughton building inspector and his or her designees (“City building inspector”), the right to enter and access the following real property:

(Property Address) \_\_\_\_\_ and the improvements thereupon (“Property”) for the purpose of removing and replacing the private water service line at the Property, if it is determined to be either lead or galvanized steel and downstream of a lead water service. Additionally, the Owner grants to Stoughton Utilities and its employees, agents, and contractors and to the City building inspector and his or her designees the right to enter and access the Property prior to engaging in any removal or replacement activity in order to verify that the private water service, or a portion thereof, is made of lead or is galvanized steel and has been known to have had contact with a public lead service.

The Owner and Stoughton Utilities agree to the following:

- (1) **Compliance with Laws**. All work performed on the Property by Stoughton Utilities or its employees, agents, or contractors, shall be conducted in compliance with all federal, state, and local laws, orders, regulations, and ordinances.
- (2) **Scope of Work**. The Scope of Work shall be set forth in Narrative Description of Private Lead/Galvanized Steel Service Replacement.
- (3) **Representative on Site**. Owner, or Owner’s designee, who must be at least 18 years old, will be at the Property on the date and at the time scheduled for the water service line replacement.
- (4) **Hours**. Stoughton Utilities and the City building inspector shall have access to the Property as needed to perform and inspect the work.
- (5) **Insurance**. Stoughton Utilities shall require its contractors and subcontractors to maintain liability insurance coverage which includes Stoughton Utilities, the City of Stoughton and their employees as named insureds under the policy
- (6) **Hold Harmless**. Except as provided in the attached Narrative Description of Private Lead/Galvanized Steel Service Replacement, Owner agrees to hold Stoughton Utilities and its employees, the City of Stoughton and its employees, and the City building inspector and his or her designees harmless from any damage, loss, or injury to person or property caused by Stoughton Utilities or its employees, agents, or contractors on the Property, including damages, losses, or injuries caused by negligence which relates in any way whatsoever to the Lead/Galvanized Steel Service Replacement.
- (7) **Duration**. This agreement shall be effective as of the date indicated below by Owner and shall remain in effect until completion of the work.
- (8) **Conformed Copies Valid**. Owner shall provide this signed agreement to Stoughton Utilities employee at the time of on-site interior inspection of the lead or galvanized steel service line or mail to Stoughton Utilities at 600 South 4<sup>th</sup> Street, Stoughton, Wisconsin by no later than two weeks (14 days) from today’s date.

Today’s date: \_\_\_\_\_.

**Please sign below before returning this form to Stoughton Utilities.**

I, (print name) \_\_\_\_\_, am the owner of the property

at (property address) \_\_\_\_\_.

**Stoughton Utilities:**

**Owner:**

Print Name: Jill M. Weiss, P.E.

Print Name: \_\_\_\_\_

Sign:

Sign: \_\_\_\_\_

Title: Stoughton Utilities Director

Date: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

This form is to obtain your consent for Stoughton Utilities and its contractors to replace your private water service line, due to the determination that the service line is made of either lead or galvanized steel that is downstream of lead service. We believe your water service line is made of lead or galvanized steel, which pose a significant health threat.

Stoughton Utilities is engaged in a program to replace all of the lead or galvanized steel water service lines in the City of Stoughton. Stoughton Utilities plans to replace all public water service lines believed to be made of lead or galvanized steel. The public side of the water service extends from the water main to the curb stop, also called the shut-off valve. Ordinarily, the privately-owned side of a water service line, meaning the portion of the line that extends from the curb stop to the water meter inside a property, is the sole responsibility of the property owner. However, in 2021, Stoughton Utilities will receive a grant from the Wisconsin Department of Natural Resources (DNR) to cover the expense of replacing the privately-owned side of lead or galvanized steel water service lines.

The expense of removing and replacing your private water service line, if determined to be made of lead or galvanized steel, will be covered entirely by the DNR grant if you authorize Stoughton Utilities to arrange for the removal and replacement and provide Stoughton Utilities, its agents and contractors, the City of Stoughton building inspector, and the building inspector's designees, with access to your property for that purpose. Moreover, if it is determined that the location of your water meter or your connection to the public water system, or both, must be moved to comply with City ordinances, the work can be done in conjunction with the water service line removal and replacement and the expense will be covered by the DNR grant.

You must sign and submit this agreement in order for Stoughton Utilities to replace your water service line at no expense to you. You own the water service line, and Stoughton Utilities will replace it with your consent. However, because lead or galvanized steel water service lines are a health threat and a public nuisance, Stoughton Utilities may, in compliance with state law and City ordinances, seek a warrant to access your property and a court order to remove and replace your water service line, if it is determined to be made of lead or galvanized steel. Stoughton Utilities cannot guarantee grant funding for such delayed water service line replacement, so the expense of any work conducted without your prompt consent may be assessed against your property.