

WELL ABANDONMENT ORDINANCE

ORDINANCE NO. 05-95

WHEREAS, s.NR811.10, Wisconsin Administrative Code, directs suppliers of water for municipal water systems to require the abandonment of all unused, unsafe or non-complying wells located on the premises served by their system, and to provide a permit system to allow retention of safe and code complying wells, by local ordinance or water utility rule to eliminate sources of unsafe water and to prevent such wells from becoming channels for vertical movement of contaminated water and to eliminate all existing cross-connections and prevent all future cross-connections.

NOW THEREFORE, the Village of Alma Center of Jackson County, Wisconsin, does ordain as follows:

SECTION 1. PURPOSE

To protect public health, safety and welfare and to prevent contamination of ground water by assuring that unused, unsafe or non-complying wells or wells which may act as conduits for contamination of ground water or wells which may be illegally cross-connected to the municipal water system, are properly maintained or abandoned.

SECTION 2. APPLICABILITY

This ordinance applies to all wells located on premises served by the Alma Center municipal water system.

SECTION 3. DEFINITIONS

- A. "Municipal water system" means a community water system owned by a city, village, county, town, town sanitary district, utility district or a federal, state, county, or municipal owned institution for congregate care or correction, or a privately owned water utility serving the foregoing.
- B. "Non-complying" means a well or pump installation which does not comply with s.NR112.42 Wisconsin Administrative Code, Standards for existing Installations, and which has not been granted a variance pursuant to s.NR112.43 Wisconsin Administrative Code.
- C. "Pump installation" means the pump and related equipment used for withdrawing water from a well including the discharge piping, the underground connections, pitless adapters, pressure tanks, pits, sampling faucets and well seals and caps.

- D. "Unsafe" means a well or pump installation which produces water which is bacteriologically contaminated or exceeds the drinking water standards of s.NR112.06, Wisconsin Administrative Code, or for which a Health Advisory has been issued by the Department of Natural Resources.
- E. "Unused" means a well or pump installation which is not used or does not have a functional pumping system.
- F. "Well" means an excavation or opening into the ground made by digging, boring, drilling, driving, or other methods for the purpose of obtaining ground water for consumption or other use.
- G. "Well Abandonment" means the filling and sealing of a well according to the provisions of s.NR112.26 Wisconsin Administrative Code.

SECTION 4. ABANDONMENT REQUIRED

All wells on premises served by the municipal water system shall be abandoned in accordance with the terms of the ordinance and ch.NR 112 Wisconsin Administrative Code, no later than 1 year from the date of connection to the municipal water system, unless a well operation permit has been obtained by the well owner from the Village of Alma Center.

SECTION 5. WELL OPERATION PERMIT

The Village of Alma Center shall grant a permit to a well owner to operate a well for a period not to exceed 5 years providing the conditions of this section are met. An owner may renew a well operation permit by submitting information verifying that the conditions of this section are met. The Village of Alma Center, or its agent, may conduct inspections or have water quality tests conducted at the applicant's expense to obtain or verify information necessary for consideration of a permit application or renewal. Permit applications and renewals shall be made on forms provided by the Clerk. The following conditions must be met for issuance or renewal of a well operation permit:

- (1) The well and pump installation shall meet or shall be upgraded to meet the requirements of s.NR112.42, Wisconsin Administrative Code, and have a functional pumping system.
- (2) The well construction and pump installation shall have a history of producing bacteriologically safe water as evidenced by at least 2 samples taken a minimum of 2 weeks apart. No exception to this condition may be made for unsafe wells, unless the Department of Natural Resources approves, in writing, the continued use of the well.
- (3) There shall be no cross-connections between the well's pump installation and the municipal water system, and
- (4) The proposed use of the well and pump installation can be justified as reasonable in addition to water provided by the municipal water system.

SECTION 6. ABANDONMENT PROCEDURES

- (1) All wells abandoned under the jurisdiction of this ordinance or rule shall be abandoned according to the procedures and methods of s.NR112.26, Wisconsin Administrative Code. All debris, pumps, piping, unsealed liners and any other obstructions which may interfere with sealing operations shall be removed prior to abandonment.
- (2) The owner of the well, or the owner's agent, shall notify the clerk at least 48 hours prior to commencement of any well abandonment activities. The abandonment of the well shall be observed by the Village Maintenance Person.

SECTION 7. PENALTIES

Any well owner violating any provision of this ordinance shall upon conviction be punished by forfeiture of not less than \$100.00 nor more than \$150.00 and the cost of prosecution. Each day of violation is a separate offense. If the person fails to comply with this ordinance for more than 30 days after receiving written notice of the violation, the municipality may impose a penalty and cause the well abandonment to be performed and the expense to be assessed as a special tax against the property.

Donavon G. Larson

Don Larson, President

Donna Keil

Donna Keil, Clerk

2/17/95