

## ORDINANCE

To Adopt Private Well Abandonment §10.03 Ordinance-

THE VILLAGE BOARD OF THE VILLAGE OF RADISSON DOES HEREBY ORDAIN AS FOLLOWS:

Section One: That §10.03 of the Village Code be adopted to read:

### **Sec. 10.03 Private Well Abandonment and Well Operation Permit**

WHEREAS, s. NR 810.16, Wisconsin Administrative Code, directs suppliers of water for municipal water systems, and communities served by municipal water systems, to implement a local well regulation program requiring proper abandonment of unused, unsafe or noncomplying wells located on premises served by the municipal water system, and to provide permits for retention of safe, code-complying wells by local ordinance or water utility rule, in order to prevent all unused, unsafe, and noncomplying wells from becoming safety hazards or channels for contamination of aquifers, and to prevent illegal cross-connections with the municipal system.

- (a) **10.03.01. Purpose.** To protect public health, safety and welfare and to prevent contamination of water supplies by assuring that unused, unsafe or noncomplying wells or wells which may act as conduits for contamination of groundwater or wells which may be illegally cross-connected to the municipal water system, are properly maintained or properly filled-and-sealed.
- (b) **10.03.02. Applicability.** This Ordinance applies to all wells located on premises served by the Village of Radisson municipal water system. Communities outside the jurisdiction of a supplying municipal system are also required by code, contract agreement, or utility rule to adopt and enforce equivalent ordinances within their jurisdictions for purpose stated in Section 10.03.01. above.
- (c) **10.03.03. Definitions**
  - (1) "Municipal water system" means a community water system owned by a city, village, county, town, town sanitary district, utility district, public inland lake and rehabilitation district, municipal water district or a federal, state, county, or municipal owned institution for congregate care or correction, or a privately owned water utility serving the foregoing;
  - (2) "Communities served" means any jurisdiction having customers supplied by a municipal water system as retail or wholesale customers, including those outside the jurisdiction of the supplying system;
  - (3) "Noncomplying" means a well or pump installation which does not comply with s. NR 812.42, Wisconsin Administrative Code, Standards for Existing Installations, and which has not been granted a variance pursuant to s. NR 812.43, Wisconsin Administrative Code;
  - (4) "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 or caps;
  - (5) "Served by" means any property having a water supply pipe extending onto it which is connected to the municipal water system;
  - (6) "Unsafe" well or pump installation means one which produces water which is

bacteriologically contaminated or contaminated with other substances exceeding the drinking water standards of chs. NR 140 or 809, Wisconsin Administrative Code, or for which a Health Advisory has been issued by the Department of Natural Resources.

- (7) "Unused" well means one which does not have a functional pumping system or other complying means of withdrawing water.
  - (8) "Well" means a drillhole or other excavation or opening deeper than it is wide that extends more than 10 feet below the ground surface constructed for the purpose of obtaining groundwater.
  - (9) "Well abandonment" means the proper filling-and-sealing or decommissioning of a well according to the provisions of s. NR 812.26, Wisconsin Administrative Code.
- (d) **10.03.04. Well Abandonment Required.** All wells on premises served by the municipal water system shall be properly filled-and-sealed in accordance with Section 6 of this ordinance by November 13, 2017 or not later than 90 days from the date of connection to the municipal water system, or discovery or construction of a well, unless a valid well operation permit has been issued to the well owner by the Village of Radisson under terms of Section 5 of this ordinance.
- (e) **10.03.05. Well Operation Permit.** Owners of wells on premises served by the municipal water system shall make application for a well operation permit for each well no later than 90 days after connection to the municipal water system or date of discovery or construction of a well. The Village of Radisson shall grant a permit to a well owner to operate a well for a period not to exceed 5 years providing all conditions of this section are met. A well operation permit may be renewed by submitting an application verifying that the conditions of this section are met. The Village of Radisson or its agent, may conduct inspections and water quality tests or require inspections and water quality tests to be 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. All initial and renewal applications must be accompanied by a fee of \$25.00. The following conditions must be met for issuance or renewal of a well operation permit:
- (1) The well and pump installation shall comply with the *Standards for Existing Installations* described in s. NR 812.42, Wisconsin Administrative Code, or repaired to comply with current standards. Compliance shall be verified by inspection for initial issuance of a permit and every 10 years thereafter. Inspections shall be conducted by a Wisconsin licensed well driller or pump installer and documented on inspection report form DNR #3300-221, to be submitted to the Clerk.
  - (2) The well and pump shall have a history of producing safe water evidenced by a certified lab report for at least 1 coliform bacteria sample collected within prior 30 days, and submitted to the Clerk. In areas where the Department of Natural Resources (DNR) has determined that groundwater aquifers are contaminated with substances other than bacteria, additional chemical tests may be required to document the safety of the water.
  - (3) There shall be no cross-connections or interconnection between the well's pump installation or distribution piping and the municipal water system unless approved by the utility and DNR.
  - (4) The water from the private well shall not discharge into a drain leading directly to a public sewer utility unless properly metered and authorized by the sewer utility.

- (5) The private well shall have a functional pumping system or other complying means of withdrawing water.
- (6) The proposed use of the private well shall be justified as reasonable in addition to water provided by the municipal water system.

**(f) 10.03.06. Well Filling-and-sealing Procedures**

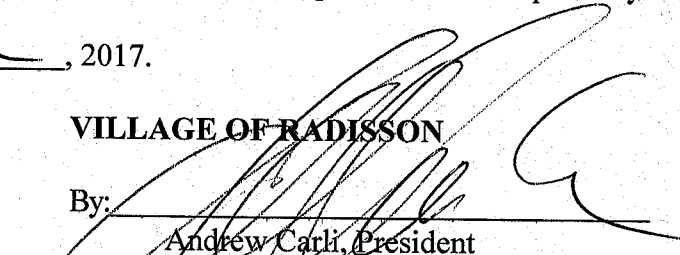
- (1) All wells abandoned under the jurisdiction of this ordinance shall be filled-and-sealed according to the procedures of s. NR 812.26, Wisconsin Administrative Code.
- (2) All well filling-and-sealing under jurisdiction of this ordinance shall be performed by, or under the supervision of, a Certified Water System Operator employed by the Village of Radisson or by a Wisconsin licensed Well Driller or Pump Installer, per s. 280.30 Wisconsin Statutes.
- (3) The owner of the well, or the owner's agent, may be required to obtain a well abandonment permit prior to any well abandonment and shall notify the clerk at least 48 hours in advance of any well abandonment activities. The abandonment of the well may be observed or verified by personnel of the municipal system.
- (4) A well filling-and-sealing report form DNR#3300-005, supplied by the Department of Natural Resources, shall be submitted by the well owner to the Clerk and to the Department of Natural Resources within 30 days of the completion of the well abandonment.

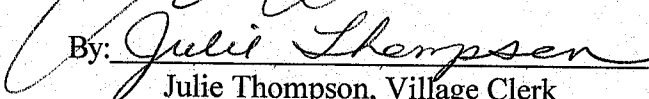
- (g) 10.03.07. Penalties.** Any well owner violating any provision of this ordinance shall upon conviction be punished by forfeiture of not less than \$25.00 nor more than \$250.00 and the cost of prosecution. Each day of violation is a separate offense. If any person fails to comply with this ordinance 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.

Section Two: That this ordinance shall take effect upon its adoption and publication as required by law.

Dated this 13<sup>th</sup> day of November, 2017.

**VILLAGE OF RADISSON**

By:   
Andrew Carli, President

By:   
Julie Thompson, Village Clerk

Approved: 11-13-17  
Published: 11-15-17  
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