

15.17 WELL ABANDONMENT; PERMIT. (1) **PURPOSE.** To protect public health, safety and welfare and to prevent contamination of ground water by assuring that unused, unsafe or noncomplying 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 or properly maintained or abandoned.

(2) **APPLICABILITY.** This section applies to all wells located on premises served by the Village water system. Utility customers outside the jurisdiction of the municipal system may be required under contract agreement or utility rule to adopt and enforce equivalent ordinances within their jurisdictions for the purposes stated in sub. (1) above.

(3) **DEFINITIONS.** (a) Municipal Water System. A community water system owned by a city, village, county, town, town sanitary district, utility district or a Federal, State, county of municipal owned institution for congregate care or correction, or a privately owned water utility serving the foregoing.

(b) Noncomplying. A well or pump installation which does not comply with Wis. Adm. Code NR 812.42, Standards for Existing Installations, and which has not been granted a variance pursuant to Wis. Adm. Code NR 812.43.

(c) Pump Installation. 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.

(d) Unsafe. A well or pump installation which produces water which is bacteriologically contaminated or exceeds the drinking water standards of Wis. Adm. Code NR 812.06 or for which a health advisory has been issued by the Department of Natural Resources.

(e) Unused. A well or pump installation which is not used or does not have a functional pumping system.

(f) Well. 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. The proper filling and sealing of a well according to the provisions of Wis. Adm. Code NR 812.26.

(4) ABANDONMENT REQUIRED. All wells on premises served by the municipal water system shall be properly abandoned in accordance with sub. (6) below no later than one year from the date of connection to the municipal water system unless a valid well operation permit has been issued to the well owner by the Director of Public Works under terms of sub. (5) below.

(5) WELL OPERATION PERMIT. Owners of wells on premise served by the municipal water system wishing to retain their wells for any use shall make application for a well operation permit for each well no later than one year after connection to the municipal water system. The Director of Public Works 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 Director or his agent may conduct inspections and water quality tests or require inspections and water quality tests to be conducted at the applicant's expense using independent certified contractors 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 Director of Public Works. The following conditions shall be met for issuance or renewal of a well operation permit:

(a) The well and pump installation shall meet or may be upgraded to meet the Standards for Existing Installations described in Wis. Adm. Code NR 812.42.

(b) The well and pump shall have a history of producing safe water evidenced by at least 2 coliform bacteria samples taken a minimum of 2 weeks apart. In areas where the Department of Natural Resources has determined that ground water aquifers are contaminated with substances other than bacteria, additional chemical tests may be required to evidence safety of the water.

(c) There shall be no cross-connections between the well's pump installation or distribution piping and the municipal water system.

(d) The well water shall not discharge into a drain leading directly to a public sewer utility unless properly metered and authorized by the sewer utility.

(e) The well shall have a functional pumping system and the proposed use of well water can be justified as reasonable in addition to water provided by the municipal water system.

(6) ABANDONMENT PROCEDURES. (a) All wells abandoned under the jurisdiction of this section shall be done according to the procedures and methods of Wis. Adm. Code NR 812.26. All debris, pumps, piping, unsealed liners and any other obstructions which may interfere with sealing operations shall be removed prior to abandonment.

(b) 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 notify the Director of Public Works in advance of any well abandonment activities. The abandonment of the well shall be observed or verified by inspection by the municipal system.

(c) An abandonment report form, supplied by the Department of Natural Resources, shall be submitted by the well owner to the Director of Public Works and the Department of Natural Resources within 30 days of the completion of the well abandonment.

(7) PENALTIES. Any well owner violating any provision of this section shall, upon conviction, be subject to a forfeiture of not less than \$25 nor more than \$200 plus the cost of prosecution. Each day of violation is a separate offense. If any person fails to comply with this section for more than 30 days after receiving written notice of the violation, the Village may impose a penalty and cause the well abandonment to be performed and the expense to be assessed as a special charge against the property pursuant to §66.60(16), Wis. Stats.