

21.48 WELL ABANDONMENT.

(1) Purpose: To prevent contamination of ground water and to protect public health, safety and welfare by assuring that unused, unsafe or non-complying wells, or wells which may serve as conduits for contamination, or wells which may be illegally crossed connected to the municipal water system, are properly abandoned.

(2) Applicability. This ordinance applies to all wells located on premises served by the Town of Grand Chute Sanitary District No. 1 municipal system.

(3) Definitions.

(a) "Municipal Water System" means a system for the provision to the public of piped water for human consumption when such system has at least 15 service connections or regularly serves at least 25 year round residents owned and operated by city, village, county, town, town sanitary district, utility district or public institution as defined in Section 49.10, Wisconsin Statutes, or a privately owned water utility serving any of the above.

(b) "Non-Complying" means a well or pump installation which does not comply with the provisions of Chapter NR 112, Wisconsin Administrative Code, in effect at the time the well was constructed, a contamination source was installed, the pump was installed or work was done on either the well or pump installation.

(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 contaminated with substances in exceedance of the standards of Chapters NR 109 or NR 140, Wisconsin Administrative Code, or for which a health advisory has been issued by the Wisconsin Department of Natural Resources.

(e) "Unused" means a well or pump installation which is not in use or does not have a functional pumping system.

(f) "Wells" 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 revisions of Chapter NR 112, Wisconsin Administrative Code.

4. Abandonment Required. All wells located on premises served by the municipal water system shall be abandoned in accordance with the terms of this ordinance and Chapter NR 112, Wisconsin Administrative Code, no later than one (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 Town of Grand Chute Sanitary District No. 1.

5. Well Operation Permit. The Town of Grand Chute Sanitary District No. 1 may grant a permit to a private well owner to operate a well for a period not to exceed five (5) years providing the conditions of this paragraph are met. An owner may request renewal of a well operation permit by submitting information verifying that the conditions of this paragraph are met. The Town of Grand Chute Sanitary District No. 1, or its agents, 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 Town of Grand Chute Sanitary District No. 1. The following conditions must be for issuance or renewal of a well operation permit:

(a) The well and pump installation meet or are upgraded to meet the requirements of Chapter NR 112, Wisconsin Administrator Code;

(b) The well construction and pump installation have a history of producing bacteriologically safe water as evidenced by at least two (2) samplings taken a minimum of two (2) weeks apart. No exception to this condition may be made for unsafe wells, unless the Wisconsin Department of Natural Resources approves, in writing, the continued use of the well;

(c) There are no cross-connections between the well and pump installation in the municipal water system; and

(d) The proposed use of the well and pump installation can be justified as being necessary in addition to water provided by the municipal water system.

(6) Abandonment Procedures.

(a) All wells abandoned under the jurisdiction of this ordinance or rule shall be abandoned according to the procedures and methods of Chapter NR 112, Wisconsin Administrative Code. All debris, pump, piping, unsealed liners and any other obstructions which may interfere with ceiling operation shall be removed prior to abandonment.

(b) The owner of the well, or the owner's agent, shall notify the Town of Grand Chute Sanitary District No. 1 at least forty-eight (48) hours prior to the commencement of any well abandonment activities. The abandonment of the well shall be observed by agents and/or employees of the Town of Grand Chute Sanitary District No. 1.

(c) An abandonment report form, supplied by the Wisconsin Department of Natural Resources shall be submitted by the well owner to the Town of Grand Chute Sanitary District No. 1 and to the Wisconsin Department Natural Resources within ten (10) days of the completion of the well abandonment.

(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 \$300.00, and the costs of prosecution, including attorney's fees. Each day a violation exists constitutes a separate offense. If any person fails to comply with this ordinance for more than ten (10) 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.