

WELL ABANDONMENT ORDINANCE

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CHAPTER 28

WELL ABANDONMENT

28.01 PURPOSE.

The purpose of this Section is to prevent contamination of groundwater and to protect public health, safety and welfare by assuring that unused, unsafe or non-complying wells; wells which may serve as conduits for contamination; or wells which may be illegally cross connected to the municipal water system are properly abandoned.

28.02 APPLICABILITY.

This Section applies to all wells located on premises served by the New Denmark Sanitary District's Municipal Water System.

28.03 DEFINITIONS.

The following terms have the meanings indicated:

Municipal Water System. 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 or operated by a city, county, town, town sanitary district, utility district or public institution as defined in Sec. 49.10 (12) (f), Wis. Stats., or a privately owned water utility serving any of the above.

Non-complying. A well or pump installation which does not comply with the provisions of Ch. NR 812, Wis. Adm. 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.

Pump Installation. The pump and related equipment used for withdrawing water from the well, including the discharge piping, the underground connections, pitless adapters, pressure tanks, pits, sampling faucets and well seals or caps.

Unsafe. A well or pump installation which produces water which is bacteriologically contaminated or contaminated with substances in exceedance of the standards of Chs. NR 109 or 140, Wis. Adm. Code, or for which a health advisory has been issued by the Department of Natural Resources.

Unused. A well or pump installation which is not in use or does not have a functional pumping system.

Well. An excavation or opening into the ground made by digging, boring, drilling or other methods for the purpose of obtaining groundwater for consumption or other use.

Well Abandonment. The filling and sealing of a well according to the provisions of Ch. NR 812, Wis. Adm. Code.

28.04 ABANDONMENT REQUIRED.

All unused wells located within the Town of New Denmark shall be properly abandoned in accordance with the terms of this Section and Ch. NR 812, Wis. Adm. Code.

28.05 ABANDONMENT PROCEDURES.

A. All wells abandoned under the jurisdiction of this Section shall be abandoned according to the procedures and methods of Ch. NR 812, Wis. Adm. Code. All debris, pump, 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 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 a Town of New Denmark official.

C. An abandonment report form supplied by the Department of Natural Resources shall be submitted by the well owner to the Clerk and the Department of Natural Resources within 10 days of the completion of the well abandonment.

28.06 PENALTIES.

Any well owner violating any provision of this Section or any order, rule or regulation made hereunder shall, upon conviction, be subject to a forfeiture of not less than \$20 nor more than \$500 and the costs of prosecution. Each day of violation is a separate offense. If any person fails to comply with this Section for more than 10 days after receiving written notice of the violation, the Town 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.

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