

Ordinance 04-03-06-11

An Ordinance Repealing and Recreating Section 78-131 through Section 78-136 of the Village of Fontana on Geneva Lake Municipal Code Regarding Private Well Abandonment

Sec. 78-131. Purpose.

The purpose of this article is to prevent unused, unsafe, noncomplying and/or improperly constructed wells from serving as a passage for contaminated surface or near-surface waters or other materials to reach the usable groundwater. These wells must be properly filled and sealed.

(Code 1989, § 13.24(1))

Sec. 78-132. Coverage.

All private wells located on any premises served by the public water system of the village shall be properly filled by November 1, 1986. Only those wells for which a well operation permit has been granted by the village board may be exempted from this requirement, subject to conditions of maintenance and operation.

(Code 1989, § 13.24(2))

Sec. 78-133. Well operation permits.

A permit may be granted to a well owner to operate a well for a period not to exceed the current expiration date, without renewal ~~for a period not to exceed May 1, 1987,~~ if the following requirements are met. Application shall be made on forms provided by the clerk.

(1) The well and pump installation meet the requirements of Wis. Admin. Code ch. NR 811 and 812 ~~412~~, and a well constructor's report is on file with the department of natural resources, or certification of the acceptability of the well has been granted by the private water supply section of the department of natural resources.

(2) The well has a history of producing safe water and presently produces bacteriologically safe water as evidenced by three samplings two weeks apart.

(3) Public water supply is not available to the property, or ~~t~~The proposed use of the well can be justified as being necessary in addition to water provided by the public water system.

(4) No physical connection shall exist between the piping of the public water system and the private well.

(Code 1989, § 13.24(3))

Sec. 78-134. Methods.

Wells to be abandoned shall be filled according to the procedures outlined in Wis. Admin. Code Chapter NR 811 and 812 ~~412~~. The pump and piping must be removed and the well checked for obstructions prior to plugging. Any obstruction or liner must be removed.

(Code 1989, § 13.24(4))

Sec. 78-135. Reports and inspection.

A well abandonment report must be submitted by the well owner to the department of natural resources on forms provided by that agency (available at the office of the clerk). The report shall be submitted immediately upon completion of the filling of the well. The filling must be observed by the building inspector.

(Code 1989, § 13.24(5))

Sec. 78-136. Penalties for violation of article.

Any person who shall violate any provision of this article or any order, rule or regulation made under this article shall be subject to a penalty as provided in section 78-61. Each 24-hour period during which a violation exists shall be deemed and constitute a separate offense.

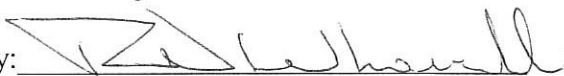
(Code 1989, § 13.24(6))

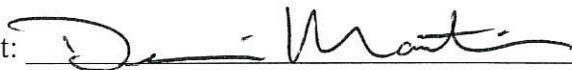
Sections 78-137--78-170. Reserved

Effective Date: This ordinance shall be in full force and effect upon its passage approval, and publication as required by law.

Passed and Adopted by the Village Board of the Village of Fontana on Geneva Lake, Walworth County, WI this 3rd day of April, 2006.

Village of Fontana on Geneva Lake

By: 
Thomas W. Whowell, President

Attest: 
Dennis L. Martin, Clerk