

ORDINANCE NO. 574

**TO CREATE SECTION 13.15 OF CHAPTER 13 OF THE GENERAL
ORDINANCES OF THE VILLAGE OF RIVER HILLS RELATING
TO WELL ABANDONMENT AND WELL PERMITS**

The Village Board of the Village of River Hills, Milwaukee County, does ordain as follows:

Section I. Subsection 13.15 of Chapter 13 of the General Ordinances is hereby created to read as follows:

“Section 13.15. WELL ABANDONMENT AND WELL PERMITS

(1) **Purpose.** To protect public health, safety and welfare and to prevent contamination of groundwater 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 abandoned.

(2) **Applicability.** This article applies to all wells in the Village of River Hills located on premises served by any municipal water system.

(3) **Definitions.** The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

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 servicing the foregoing.

Noncomplying means a well or pump installation which does not comply with Wis. Admin. Code § NR 812.42, Standards for Existing Installations, and which has not been granted a variance pursuant to Wis. Admin. Code § NR 812.43.

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.

Unsafe well or pump installation means one which produces water which is bacteriologically contaminated or contaminated with substances which exceed the drinking water standards of Wis. Admin. Code ch. NR 140 or 809 or for which a health advisory has been issued by the department of natural resources.

Unused well or pump installation means one which is not used or does not have a functional pumping system.

Village means the Village of River Hills.

Well means a drillhole or other excavation or opening deeper than it is wide that extends more than ten feet below the ground surface constructed for the purpose of obtaining groundwater.

Well abandonment means the proper filling and sealing of a well according to the provisions of Wis. Admin. Code § NR 812.26.

(4) Abandonment required. All wells on premises served by the municipal water system shall be properly abandoned in accordance with this section not 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 Village Building Inspector under the terms of this section.

(5) Well Operation Permit.

(a) Owners of wells on premises 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 at the time of utility meter installation. The building inspector or designee shall grant a permit to a well owner to operate a well for a period not to exceed five 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 shall 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 Village. All initial and renewal applications must be accompanied by the appropriate fee from the Village's adopted fee schedule.

(b) The following conditions must be met for issuance or renewal of a well operation permit:

(1) The well and pump installation shall meet the Standards for Existing Installations described in Wis. Admin. Code § NR 812.42.

(2) The well and pump shall have a history of producing safe water evidenced by at least one coliform bacteria sample. In areas where the Department of Natural Resources 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 between the well's pump installation or distribution piping and the municipal water system.

(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 Village Department of Public Works.

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(5) The private well shall have a functional pumping system.

(6) The proposed use of the private well shall be approved by the municipal water system and generally that use is for irrigation purposes that do not substantially affect the groundwater supply.

(6) Abandonment Procedures.

(a) All wells abandoned under the jurisdiction of this section shall be done according to the procedures and methods of Wis. Admin. 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, shall employ a licensed well contractor to obtain a well abandonment permit prior to the well abandonment and shall notify both the municipal water system and the Village 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 water system or the Village.

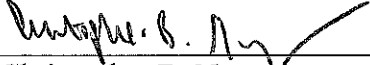
(c) An abandonment report form, supplied by the Department of Natural Resources, shall be submitted by the well owner to the municipal water system, the Village and the Department of Natural Resources within 30 days of the completion of the well abandonment.”

Section II. That if any subsection, section or portions of this article or the section of this ordinance as enacted hereunder is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision and such holdings shall not affect the validity of the remaining portions hereof.

Section III. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance are to such extent repealed.

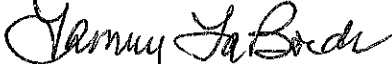
Section IV. That this ordinance shall be in full force and effect upon its passage and publication according to law.

PASSED AND ADOPTED by the Village Board of the Village of River Hills this 20th day of September, 2023.



Christopher B. Noyes
Village President

Countersigned:



Tammy LaBorde
Village Clerk