

ORDINANCE NO. 2020-03
AMENDMENT TO SECTION 27.05 OF
CHAPTER 27, CODE OF ORDINANCES

INITIAL RULES AND REGULATIONS RELATED TO CONSTRUCTION OF AND
CONNECTION TO THE VILLAGE OF STOCKBRIDGE WATER SYSTEM

The Village Board of the Village of Stockbridge, Calumet County, WI hereby adopts the following Amendment to Section 27.05 of the Village Code of Ordinances, and do ordain as follows:

Section 1. Amendment. Section 27.05 of the Village Code of Ordinances is amended as follows:

27.05 PRIVATE WELL ABANDONMENT

3. WELL OPERATION PERMIT

- a. The Village of Stockbridge may grant a permit to a private well owner to operate a well for a period not to exceed five years providing the conditions of this section are met. An owner may request renewal of a well operation permit by submitting information verifying that the conditions of this section are met. The Village of Stockbridge may conduct inspections and 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 Village of Stockbridge. The following conditions must be met for issuance or renewal of a well operation permit:
 - i. The well and pump installation meet or are upgraded to meet the requirements of Chapters NR 812 or 845, Wis. Adm. Code 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
 - ii. In order for continuance of the initial permit, a water sample from the well shall be submitted by the property owner, at the property owner's expense, to a certified laboratory which shall test and confirm test results the water sample is not contaminated with bacteriological agents. The sample for testing shall be taken annually on or after August 1, with the safe test results completed and submitted to the Village of Stockbridge by September 1 of the same year.
 - iii. There shall be no cross-connections between private well and pump installation and the municipal water system. There shall be no internal service connection to the private well with the exception of a smooth bore sampling faucet which may be placed between the well and the pressure tank for the express purpose of drawing a water sample for testing purposes.

iv. Private well water may be used for outdoor purposes only, such as lawn and garden watering, car washing, or for commercial, agricultural, or industrial uses approved by the State of Wisconsin.

v. No new wells may be constructed in the Village of Stockbridge.

4. ABANDONMENT REQUIREMENTS AND PROCEDURES.

a. The Village of Stockbridge requires the abandonment of a well if any of the following are met:

i. The well water is contaminated with biological agents, bacteriological, viral or parasitic, and three (3) test samples taken over a continuous period of not more than thirty (30) days and submitted to a certified laboratory have failed to test safe.

ii. The well or drillhole poses a hazard to health or safety.

iii. The well or drillhole construction does not comply with the minimum standards of Chapter NR 812 Wis. Admin. Code.

b. All wells abandoned under the jurisdiction of this ordinance or rule shall be abandoned according to the procedures and methods of Chapters NR 111 and 112, Wis. Adm. Code. All debris, pump, unsealed liners and any other obstructions which may interfere with sealing operations shall be removed prior to abandonment.

c. The current Wisconsin Department of Natural Resources – Well / Drillhole / Borehole Filling & Sealing Report shall be completed and submitted to the Wisconsin Department of Natural Resources and the Village of Stockbridge within ten (10) days of the completion of the well abandonment.

5. PENALTIES AND REMEDIES.

a. Any person violating this ordinance shall upon conviction thereof be subject to a forfeiture of between \$100 and \$1,000 together with the costs of prosecution and all other fees and expenses allowed by law or by any court. Each day a violation exists is deemed a separate offense under this ordinance

b. The Village of Stockbridge may seek injunctive relief for any violation of this ordinance.

c. Any person who receives written notice of a violation of this ordinance, and who fails to correct the violation and comply with this ordinance within ten (10) days after receiving written notice of the violation, shall be subject to penalties herein. If the written notice of violation requires the abandonment of the well, and the owner fails to comply within ten (10) days after receiving written notice, the Village of Stockbridge or its agents may perform the well abandonment and assess the expenses thereof against the property on which the well is located,

to be collected as a special tax or charge against the property, pursuant to Secs. 66.0809, 66.0627 and 66.0626, Wis. Stats., as applicable.

d. The Village of Stockbridge shall have such other remedies as provided by Wisconsin law for violations of this ordinance and all remedies available are cumulative and the Village may exercise them in any order.

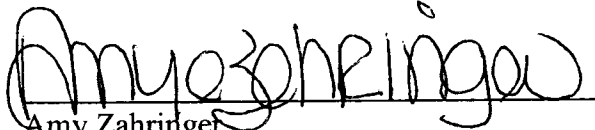
Section 2. Repeal and Ratification. Any existing terms of Section 27.05 of the Code of Ordinances, in conflict with the foregoing are hereby repealed. Except as herein modified, the provisions of Section 27.05 remain in full force and effect.

Section 3. Severability. The terms of this ordinance are severable. If any portion hereof is found by a court of competent jurisdiction to be illegal, unenforceable or unconstitutional, such finding shall not affect the remainder hereof which shall be in full force and effect.

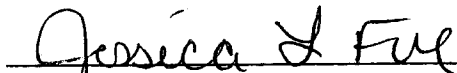
Section 4. Effective date. This ordinance shall be effective upon adoption and publication according to law.

ADOPTED BY THE VILLAGE OF STOCKBRIDGE BOARD OF TRUSTEES
this 1 day of August, 2020

5 Ayes 0 Nays 2 Absent



Amy Zahringer
Village President

ATTEST: 

Jessica L. Fox, Clerk
Village of Stockbridge