

ORDINANCE NO. 274

An Ordinance Amending Section 345-5 Private Well Operation and Abandonment of the
Municipal Code of the City of Markesan.

The Common Council of the City of Markesan in session duly begun on the
12th day of March, 2024, hereby amends Section 345-5 of the City of Markesan Municipal Code
to read as follows:

SECTION 1: Section 345-5 Private Well Operation and Abandonment of the Municipal Code is hereby amended to read as follows:

- A. Well operation permits. To ensure proper maintenance and operation of wells served by the municipal water system that remain in use on any premises within the City, a well operation permit shall be required every 5 years. Well permits will have a fee payable to the City every 5 years at a rate prescribed in the City's fee schedule, and permits not obtained by established deadlines shall be subject to a late fee as set from time to time by resolution of the Common Council. To obtain a permit, application shall be made on forms provided by the City Clerk-Treasurer, and such wells shall meet the following requirements:
- (1) The well and pump installation meets the requirements of the applicable Wisconsin Administrative Code Chapter NR 812, and a well constructor's report is on file with the Wisconsin Department of Natural Resources (WDNR), or certification of the acceptability of the well has been granted by the WDNR.
 - (2) The well has a history of producing safe water and presently produces bacteriologically safe water as evidenced by submitting water test results to the City, at issuance of the well inspection and permit.
 - (3) 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.
- B. Well abandonment. All private wells located on any premises within the City shall be properly filled and sealed within 60 days of notification by the Common Council if they are no longer in use, or are bacteriologically unsafe, or do not meet the requirements as set forth in Ch. NR 812, Wis. Adm. Code.
- (1) Wells being abandoned shall be filled according to the procedures outlined in the applicable Wisconsin Administrative Code Ch. NR 812.26. The pump and piping must be removed and the well checked for obstructions prior to plugging. Any obstruction or liner must be removed. The filling must be observed by a representative of the City.

(2) A well abandonment report, supplied by the Department of Natural Resources, must be submitted by the well owner to City of Markesan Clerk and the WI DNR. The report shall be submitted immediately upon completion of the filling of the well.

- C. Violations and penalties. Except as otherwise specifically provided in this chapter, any person who shall violate any provision of this chapter or any order, rule or regulation made hereunder shall be subject to a forfeiture as provided in § 1-3 of the Code of the City of Markesan.

SECTION 2: This ordinance shall be in full force and effect upon passage and publication.

ROLL CALL: Ayes 5, Nays 0, Absent 1, Abstained 0

APPROVED this 12th day of March, 2024.

CITY OF MARKESAN

RICH SLATE, Mayor

ATTEST:

ELIZABETH AMEND, Clerk-Treasurer

APPROVED AS TO FORM:

DANIEL D. SONDALLE, City Attorney

Publish March 21, 2024