

## Chapter 258

### WELLS

§ 258-1. Purpose.

§ 258-2. Filling required; exemptions.

§ 258-3. Well operation permits.

§ 258-4. Abandonment procedure;  
report.

§ 258-5. Violations and penalties.

[**HISTORY: Adopted by the Village Board of the Village of Fall Creek 5-11-1989 (Ch. 7, Sec. 7.04 of the 1960 Code). Amendments noted where applicable.**]

### GENERAL REFERENCES

Nuisances -- See Ch. 184.

Water -- See Ch. 254.

---

#### § 258-1. Purpose.

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

#### § 258-2. Filling required; exemptions.

All private wells located on any premises which are served by the public water system of the Village of Fall Creek shall be properly filled. 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. [**Amended 1-9-2012**]

#### § 258-3. Well operation permits.

Permits may be granted to well owners to operate wells for a period not to exceed five years if the following requirements are met:

- A. Application forms provided by the Village Clerk-Treasurer shall be properly completed. Fee for a five-year permit shall be \$125.00. [**Amended 7-12-2010**]
- B. The well and pump system be evaluated by a licensed well driller or pump installer, Wisconsin DNR County Delegation Level 3 and Level 5 Well Inspector, or Wisconsin DNR Private Water Supply Specialist and certified to comply with ch. NR 812 subch. IV. prior to issuing the initial permit and no less than every 10 (ten) years afterwards. [**Amended 11-14-2011, 8-13-2012**]
- C. The well has a history of producing safe water and presently produces bacteriologically safe water as evidenced by three samplings two weeks apart in a 5 (five) year period. [**Amended 11-14-2011**]
- D. The proposed use of the well can be justified as being necessary in addition to water provided by the public water system.
- E. No physical connection shall exist between the piping of the public water system and the private well.

**§ 258-4 Mandatory connection. [Created 6-9-2005]**

- A. All real estate which has a need for water service, in the case of real estate being annexed to the Village and which adjoins an existing water main of the Village, and in the case of other real estate in the Village which is at any time developed or redeveloped as a result of which has need for water service but which at the time of said development or redevelopment is not adjacent to a water main, shall, within one (1) year of the effective date of the annexation and, in all other cases, within one (1) year of the date upon which water service is made available to such real estate, connect to and commence receiving water service through the Village water utility. For purposes of this section a water main shall be considered to be adjacent to a parcel of real estate if it is located in the right-of-way of a street or Village easement immediately adjoining an exterior line of the real estate in question.
- B. Upon connection to the Village water main, the owner of the real estate in question shall take all necessary steps in accord with state law, regulations and local ordinances to properly abandon the well or wells which formerly supplied said real estate with water. Said abandonment shall be completed within one (1) year of initial receipt of Village water services by the real estate. In addition, there shall be no cross connections between an existing well and wells and Village water service. (c.f. Article II Cross Connections.)

**§ 258-5 Abandonment procedure; report.**

- A. Wells to be abandoned shall be filled according to the procedure outline in Chapter NR 812 of the Wisconsin Administrative Code. The pump and piping must be removed and the well checked for obstructions prior to plugging. Any obstructions or liners must be removed.
- B. A well abandonment report must be submitted by the well owner to the Department of Natural Resources on forms available at the Village Clerk-Treasurer's office. The report shall be submitted upon completion of filling of the well. The filling must be observed by a representative of this municipality.

**§ 258-6. Violations and penalties.**

Any person violating any provision of this chapter shall, upon conviction, be punished by a fine of not less than \$25 nor more than \$250, together with the cost of prosecution. Each twenty-four-hour period during which a violation exists shall be deemed to constitute a separate offense.