

# Chapter 16

## Utilities

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# Chapter 16

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### 16.01 GENERAL

The Village of Amherst has two complete and distinct departments for water and sewer. The Water Utility is under the jurisdiction of the Public Service Commission and the Sewer Utility is under the jurisdiction of the Village Board.

A. Rules of Public Service Commission Adopted: The rules of the Amherst Water Utility ordered by the Public Service Commission and dated January 1, 1981 are hereby adopted and made a part of this Chapter by reference and shall be kept on file in the office of the Village Clerk/Treasurer.

B. Wisconsin Administrative Code: The following chapters of the Department of Natural Resources Administrative Code are hereby adopted and made a part of this Chapter by reference and shall be kept on file in the office of the Village Clerk/Treasurer.

- NR 108 General Requirements for Waterworks, Sewerage Systems and Industrial Wastewater Treatment Facilities.
- NR 109 Safe Drinking Water
- NR 110 Sewerage
- NR 111 Waterworks
- NR 112 Well Construction and Pump Installation
- NR 113 Servicing Septic Tanks, Seepage Pits, Grease Traps or Privies
- NR 114 Certification of Operators of Waterworks and Sewage Treatment Plants

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### 16.02 DEFINITIONS

- (1) Sewer Lateral: The service line that carries sewage from the user to the main.
- (2) Sewer Main: The principal line that carries sewage from the lateral to the Disposal Plant.
- (3) Unit of Service: Shall consist of any aggregation of space, or area occupied for a distinct purpose, such as a residence, apartment, flat, store, or office, which is equipped with one or more fixtures connected to the sewer system, separate and distinct from other users.

(4) User: Means any owner or occupant of any building or lot that is located within the water and sewerage service area and is furnished with water and sewerage service.

(5) Water Lateral: The service line that carries water from the main to the water meter.

(6) Water Main: The principal line that carries water from the well to the laterals.

Effective: 8-21-84

### **16.03 RATES**

Water rates shall be as established by the Public Service Commission of Wisconsin.

Sewer rates shall be as established by the Village Board and based on the amount of water used.

The Water and Sewer Rate Schedule shall be kept on file in the office of the Village Clerk/Treasurer.

If a portion of the water furnished to any User is not discharged into the sewer system, the quantity of such water will be billed minus the charge for sewer service provided a meter has been installed to measure such water. The user shall at his own expense and under the direction of the Director of Public Works make necessary changes in the water piping and install couplings so that a meter can be set by the Water Utility. The connection charge and all subsequent charges shall be set forth in the Rate Schedule.

Effective: 8-21-84

### **16.04 COMPULSORY CONNECTION TO SEWER AND WATER SYSTEMS**

To assure preservation of public health, comfort and safety, the Village of Amherst having a system of waterworks and sewerage, shall require buildings used for human habitation to be connected to both systems. Installation of laterals must be connected directly to mains and no lateral to lateral installation will be allowed. The Village Board reserves the right to determine if Village sewer and/or water systems are feasible and available and if on-site systems will be allowed.

If any person fails to comply more than ten (10) days after notice in writing, the Village may impose a penalty and may cause connection to be made. The expense thereof shall be assessed as a special tax against the property. **A 24 hour notice is required before any work is done to connect a lateral to the Village main. All lateral installations must be inspected by Village Staff prior to the lines being buried. A 24 hour notice is required to Village staff for the final inspection.**

A. Exception: An exception of up to five (5) years may be granted to any building used for human habitation that is serviced by its own private sewer and water system which is less than five (5) years old.

B. Installment Option: The owner may, within thirty (30) days after the completion of the work, file a written option with the Village Clerk/Treasurer stating that he or she cannot pay the amount in one (1) sum and ask that it be levied in equal annual installments, not to exceed five (5) installments. The amount shall be collected with interest from the completion of work and the unpaid balance is to be a special tax lien.

C. Private Sewer and Water Systems: If the Village Board determines that the Village sewer and water is not available, a private sewer and water system may be installed providing the lot is not less than two (2) acres in size.

D. Portage County Sanitary Permit Required: Private sewer systems located within the Village of Amherst are subject to the Portage County Private Sewer Ordinance and as such require a Portage County Sanitary Permit.

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## **16.05 SPECIAL ASSESSMENTS**

A. Authority: The Village of Amherst may, by resolution of the Village Board, levy and collect special assessments upon property in a limited and determinable area for special benefits conferred upon such property by any municipal work or improvement. The Village Board may provide for payment of all or part of the cost of the work or improvement out of such special assessments.

(1) Prerequisites: No work or improvements subject to special assessment are authorized until the Final Resolution is published and all awards, compensations, and assessments arising there from are deemed legally authorized and made, subject to Rights of Appeal, set forth in Subsection H, below.

### B. Determination of Amount of Assessment

(1) Cost Included in Assessment: The cost of any work or improvement to be paid in whole or in part by special assessment on property may include the direct and indirect cost thereof, the damages occasioned thereby, the interest on bonds or notes issued in anticipation of the collection of the assessments, a reasonable charge for the services of the administrative staff of the Village, and the cost of any architectural, engineering and legal services, and any other item of direct or indirect cost which may reasonably be attributed to the proposed work or improvement. The amount to be assessed against all property for any such proposed work or improvement shall be apportioned among the individual parcels in the manner designated by the Village Board.

(2) Without Police Power: The amount assessed against the property for any work or improvement which does not represent an exercise of the police power shall not exceed the value of the benefits accruing to the property.

(3) With Police Power: When such assessment against property for work or improvement represents an exercise of the police power of the Village, the assessment shall be upon a reasonable basis as determined by the Village Board.

(4) Exempt Property: If any property deemed benefited shall be reason of any provision of law be exempt from assessment shall be computed and shall be paid by the Village.

(5) Credit or Deduction for Previous Assessment: A parcel of land against which has been levied a special assessment for the sanitary sewer or water main laid in one of the streets upon which it abuts, shall be entitled to such deduction or exemption as the Village Board determines to be reasonable and just under the circumstances of each case, when a special assessment is levied for the sanitary sewer or water main laid in the other street upon which such corner lot abuts. The Village Board may allow a similar deduction or exemption from special assessments levied for any other public improvement.

(6) Setoff for Damages: If an assessment of benefits is made against any property and an award of compensation or damages are made in favor of the same property, the Village Board shall assess against or award in favor thereof only the difference between such assessment of benefits and the award of damages or compensation.

(7) Multiple Projects: Where more than a single type of project in undertaken as part of a general improvement affecting any property, the Village Board may finally combine the assessments for all purposes as a single assessment on each property affected, provided that each property owner shall be enabled to object to any such assessment for any single purpose or for more than one purpose.

### C. Preliminary Resolution

- (1) Preliminary Resolution Necessary: Prior to the exercise of any powers conferred by this Section, the Village Board shall declare by Preliminary Resolution its intention to exercise such powers for a stated municipal purpose.
- (2) Contents of Resolution: Such resolution shall describe generally
  - (a) The contemplated purpose.
  - (b) The limits of the proposed assessment district
  - (c) The number of installments in which the special assessments may be paid, unless the number of installments will be determined following public hearing as set forth under Subsection E, below.
- (3) Duties of the Director of Public Works: The Preliminary Resolution shall direct the Director of Public Works, in conjunction with the appropriate committee assigned, to make an Assessment Report as set forth in Subsection D. below.

### D. Assessment Report

- (1) Contents of Assessment Report: The Assessment Report shall consist of:
  - (a) Preliminary or final plans and specifications
  - (b) An estimate of the entire cost of the proposed work or improvements
  - (c) An estimate, as to each parcel of property affected, of:
    - i. the assessment of benefits to be levied.
    - ii. the damages to be awarded for property taken or damaged.
    - iii. the net amount of such benefits over damages or the net amount of such damages over benefits.
  - (d) A statement that the property against which the assessments are proposed is benefited, where the work or improvement constitutes an exercise of the police power. In such case the estimates required under (c) above, shall be replaced by a schedule of the proposed assessments.
- (2) Filing and Review: A copy of the Report when completed shall be:
  - (a) Filed with the Village Clerk/Treasurer for public inspection.
  - (b) If property of the state may be subject to assessment, a copy of the Report shall also be filed with the Board of Commissioners of Public Lands and the Department of Administration and, if the assessment for a project, as defined under Section 6.64(2)(a) Wisconsin State Statutes, is Fifty Thousand Dollars (\$50,000.00) or more.
    - i. The Building Commission shall review the assessment and shall determine within ninety (90) days of receipt of the Report if the assessment is just and legal and if the proposed improvement is compatible with state plans for the facility which is the subject of the proposed improvement.
    - ii. No project assessed at Fifty Thousand Dollars (\$50,000.00) or more may be commenced and no contract on such project may be let without the approval of the Building Commission under this subsection.
    - iii. The Building Commission shall submit a copy of all of its decisions under this subsection to the Board of Commissioners of Public Lands.
- (3) Plan Commission Review: The Assessment Report shall be forwarded, on completion, to the Plan Commission, which shall return the Report, together with its findings and recommendations, to the Village Board.

### E. Public Hearing

- (1) Notice: Upon filing of the Report with the Village Clerk, the Clerk shall cause notice to be given stating:
  - (a) The nature of the proposed work or improvement,

- (b) The general boundary lines of the proposed assessment district including, in the discretion of the Village Board, a small map thereof
- (c) The place and time at which the report may be inspected
- (d) The place and time at which all persons interested, or their agents or attorneys, may appear before the Village Board or committee and be heard concerning the matters contained in the Preliminary Resolution and the Assessment Report.

(2) Publication: Such notice shall be published as a Class 1 Notice under Chapter 985, Wisconsin State Statutes, in the Village and a copy of such notice shall be mailed, at least ten (10) days before the hearing or proceeding, to every interested person whose post office address is known, or can be ascertained with reasonable diligence.

(3) Time of Hearing: The hearing shall commence not less than ten (10) days nor more than forty (40) days after such publication.

(4) Following the Hearing: At that time or following adjournment, the Village Board may approve, disapprove, or modify the Assessment Report, or it may re-fer the Report to the Director of Public Works and designated committees with such directions as it deems necessary to change the plans and specifications and to accomplish a fair and equitable assessment.

F. Final Resolution: When the Village Board finally determines to proceed with the work or improvement, it shall approve the plans and specifications and adopt a Final Resolution directing that such work or improvement be carried out in accordance with the Assessment Report as finally approved and that payment be made as provided.

(1) Publication of Final Resolution: The Village Clerk shall publish the Final Resolution as a Class 1 Notice, under Chapter 985, Wisconsin State Statutes, in the assessment district and a copy of such resolution shall be mailed to every interested person whose post office address is known, or can be ascertained with reasonable diligence.

(a) Upon publication of the Final Resolution, subject to the right of appeal as set forth below, all work and all awards, compensations, and assessments arising there from are legally authorized.

#### G. Reconsideration of Assessments

(1) Lower Assessments: If the cost of the project shall be less than the special assessments levied, the Village Board, without notice or hearing, shall reduce each special assessment proportionately, and where any assessments or installments have been paid, the excess over cost shall be applied to reduce succeeding unpaid installments, where the property owner has elected to pay in installments, or refunded to the property owner.

(2) Raising or Modifying Assessments: Whenever the actual cost of any project shall, upon completion or after the receipt of bids, be found to vary materially from the estimates, or whenever any assessment is void or invalid for any reason, or whenever the Village Board shall determine to reconsider and reopen any assessment, it is empowered, after giving notice of public hearings as set forth in Subsection E, above, and after such public hearing, to amend, cancel or confirm any such prior assessment, and thereupon notice of the resolution amending, canceling or confirming such prior assessment shall be given by the Clerk as provided in Subsection F(2), above.

H. Appeal to Circuit Court: If any person having an interest in any parcel of land affected by the determination of the Village Board feels himself aggrieved thereby, he may, within ninety (90) days after the date of the notice or of the publication of the Final Resolution, appeal to the Circuit Court of Portage County by causing a written notice of appeal to be served upon the Village Clerk and by executing a bond to the Village in the sum of Hone Hundred and Fifty Dollars (\$150.00), with two (2) sureties or a bonding company to be approved by the Village, conditioned for the faithful prosecution

of such appeal and the payment of all costs that may be adjudged against him. The Village Clerk, in case such appeal is taken, shall make a brief statement of the proceedings the Village Board had in the matter, with its decision thereon, and shall transmit the same with the original or certified copies of all papers in the matter of the Clerk of the Circuit Court.

I. Lien

(1) Special Assessment Levied: Every special assessment levied under this Ordinance shall be a lien on the property against which it is levied on behalf of the Village or the owner of any certificate, bond or other document issued by public authority, evidencing ownership of or any interest in such special assessment, from the date of the determination of such assessment by the Village Board.

(2) Collection of Assessment: The Village Board shall provide for the collection of such assessments and may establish penalties for payment after the due date.

(3) Delinquent Assessment: The Village Board shall provide that all assessments or installments which are not paid by the date specified shall be extended upon the tax roll as a delinquent tax against the property and all proceedings in relation to the collection, return and sale of property of delinquent real estate taxes shall apply to such special assessment, except as otherwise provided by Wisconsin State Statute.

J. Exceptions: Water and sewer mains extended to new customers where the Village is unwilling or unable to make a special assessment will be made on a customer-financed basis as follows:

(1) Collection of Assessment: The applicant(s) will advance as a contribution in aid of construction the total amount equivalent to that which would have been assessed for all property served.

(2) Refund of Assessment: Part of the contribution required in (1) above will be refundable. When additional customers are connected to the extended main within twenty (20) years from the date of completion, contributions in aid of construction will be collected equal to the amount which would have been assessed under special assessment for the abutting property being served. This amount will be refunded to the original contributor(s). In no case will the contributions received from additional customers exceed the proportionate amount which would have been required under special assessments nor will it exceed the total assessable cost of the original extension.

(3) Existing Main: When a new customer(s) is connected to an existing main, not financed by customer contributions, it shall not be collected from the customer(s). This provision applies to mains installed after the effective date of this rule.

Effective: 8-21-84

## **16.06 INSTALLATION OF SEWER AND WATER MAINS OR LATERALS**

A. Licensed Plumber Required: No person may engage in or work at plumbing in the Village unless licensed to do so by the State of Wisconsin. No person shall install plumbing unless at all times a licensed master plumber is in charge, who shall be responsible for proper installation.

B. Exceptions:

(1) Plumbing work done by a property owner in a one-family building owned and occupied by him as his home.

(2) Installation of sewer and water service piping from the main to the meter, when installed by the Director of Public Works.

(3) Making minor repairs to faucets, valves, pipes or appliances, repair or replacement of electrical or gas energy or other automatic valves or control devices or removing of stoppages in waste or drainage pipes.

C. Material Required: All sewer and water lines or laterals installed in the Village shall be of materials the same or equal to materials used in the sewer and water lines with which connection is proposed, and approved by the Village Board at the time of the granting of the Building Permit under this Ordinance.

D. Lateral Installment Charge: The Village will furnish and install the initial water service lateral from the water main through the curb stop and box, for which the following charges will be made to the property owner:

- (1) Three-fourths (3/4) inch copper lateral - \$300.00
- (2) Larger sized lateral - Actual cost

Effective: 8-12-84

## **16.07 SEWER AND WATER MAIN EXTENSION RULES**

A. All sewer and water main extensions shall be contained at least to the far property line of the property to be served.

- (1) If a proposed extension would be required to serve a property within a Village block such extension may continue to the intersection of the next farthest street.
- (2) If a proposed extension would be required to serve a property within four hundred (400) feet of the Village limits, such extension may continue to the Village limits.

B. When in the judgment of the Village Board it would be inappropriate to apply literally a provision of this subsection because extraordinary hardship would result, it may waive or vary such provision so that substantial justice may be done and the public interest secured.

Effective: 8-21-84

## **16.08 SEWER REGULATIONS**

A. Sewer Lateral Problems: In cases of sewer lateral problems, the property owner shall notify the Director of Public Works who will then make recommendations to rectify the problem. The Village does not reimburse property owners any of the cost to rectify such sewer problems.

In such cases where the sewer lateral is in need of replacement, the property owner shall be responsible for the cost to replace the lateral from the main to the home. Property owners shall contact the Village of Amherst prior to covering the joint to the main for inspections. Failure to do so will result in the property owner digging the joint up for proper inspection.

B. Storm Water Control: Discharging of water into the sanitary sewer by means of a sump pump or a roof drain is prohibited. Surface discharge is required for all clear water.

Effective: 8-21-84

## **16.09 WATER REGULATIONS**

Every person owning or occupying a premise receiving Village water supply shall maintain such Village water supply free from any connection, either of a direct or of an indirect nature, with a water supply from a foreign source, or of any manner of connection with any fixture or appliance, whereby

water from a foreign supply or the waste from any fixture, appliance, waste or soil pipe may flow, be siphoned or pumped into the Village water system.

Water from private wells may be used for irrigation purposes only and shall not be discharged into the Village sewer system.

No person shall drill a private well in the Village of Amherst without first obtaining a permit. Application shall be made to the Director of Public Works on the form provided. The form shall state the applicant's name, address, and location of the well.

Private wells shall be inspected annually by the Director of Public Works or his assistant for compliance with this section.

**No person is allowed to operate water main valves, hydrants or curb boxes unless direct permission is granted by the Utility Committee Chairperson or the Director of Public Works or their designee. Fire hydrants may be operated by fire department personnel for fire fighting purposes.**

Effective: 8-21-84

## **16.10 PENALTIES**

Unless otherwise stated, any person violating this Chapter shall be subject to a Class "C" forfeiture, or incarceration in lieu thereof, as provided in Chapter 2.09 of this Code.

Effective: 8-21-84

## **16.11 CROSS CONNECTION CONTROL**

Definition: A cross-connection shall be defined as any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the Village of Amherst water system, and the other, water from a private source, water of unknown or questionable safety, or steam, gasses or chemicals whereby there may be a flow from one system to the other, the direction of flow depending on the pressure differential between the two systems.

A. No person, firm or corporation shall establish or permit to be established or maintain or permit to be maintained any cross connection. Cross Connections shall be protected as required in SPS 382, Wisconsin Administrative Code.

B. The water utility may inspect, or arrange for an inspection of, property served by the public water system for cross connections. As an alternative, the water utility may require a person, firm, or corporation who owns, leases, or occupies property to have their plumbing inspected, at their own expense by a State of Wisconsin Certified Cross Connection Inspector/Surveyor. The frequency of inspections shall be established by the water utility in accordance with Wisconsin Administrative Code. Any unprotected cross connections identified by the inspection shall be promptly corrected. Failure to promptly correct an unprotected cross connection shall be sufficient cause for the water utility to discontinue water service to the property, as provided under paragraph 6 of this ordinance.

C. Upon presentation of credentials, a representative of the Amherst Water Utility shall have the right to request entry at any reasonable time to a property served by a connection to the public water system for the purpose of inspecting the property for cross connections. Refusing entry to such utility

representative shall be sufficient cause for the water utility to disconnect water service to the property, as provided under paragraph E of this ordinance. If entry is refused, a special inspection warrant under Section 66.0119 of the Wisconsin Statutes, may be obtained.

D. The water utility may request an owner, lessee, or occupant of property served by a connection to the public water system to furnish the water utility with pertinent information regarding the piping systems on the property. Refusing to provide requested information shall be sufficient cause for the water utility to discontinue water service to the property, as provided under paragraph 6 of this ordinance.

E. The water utility may discontinue water service to any property wherein any unprotected connection in violation of this ordinance exists, and take other precautionary measures deemed necessary to eliminate any danger of contamination of the public water system. Water service may be discontinued, however, only after reasonable notice and opportunity for hearing under Chapter 68, Wisconsin Statutes, except as provided in paragraph 7 of this ordinance. Water service to such property shall not be restored until the unprotected cross connection has been eliminated.

F. If it is determined by the water utility that an unprotected cross connection or emergency endangers public health, safety, or welfare, and requires immediate action, and if a written finding to that effect is filed with the City Clerk and delivered to the customer's premises, water service may be immediately discontinued. The customer shall have an opportunity for hearing under Chapter 68, Wisconsin Statutes, within 10 days of such emergency discontinuance. Water service to such property shall not be restored until the unprotected cross connection has been eliminated.

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Revised: 9-27-2011

## **16.12 WELL ABANDONMENT**

Chapter NR 111, Wisconsin Administrative Code, directs suppliers of water for municipal water systems to require the abandonment of all unused, unsafe or noncomplying wells located on the premises served by their system, by local ordinance or water utility rule, to prevent such wells as acting as channels for contamination or vertical movement of water and to eliminate all existing cross-connections and prevent all future cross-connections.

A. 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.

B. Applicability. This Ordinance applies to all wells located on premises served by the Village of Amherst municipal water system. Utility customers outside the jurisdiction of the municipal system may be required under contract agreement or utility rule to adopt and enforce equivalent ordinances within their jurisdictions for purpose stated in Section 1 above.

### **C. DEFINITIONS**

1. "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 serving the foregoing.

2. "Noncomplying" means a well or pump installation which does not comply with s. NR 812.42, Wisconsin Administrative Code, Standards for Existing Installations, and which has not been granted a variance pursuant to s. NR 812.43, Wisconsin Administrative Code.
3. "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.
4. "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 chs. NR 140 or 809, Wisconsin Administrative Code, or for which a Health Advisory has been issued by the Department of Natural Resources.
5. "Unused" well or pump installation means one which is not used or does not have a functional pumping system.
6. "Well" means a drillhole or other excavation or opening deeper than it is wide that extends more than 10 feet below the ground surface constructed for the purpose of obtaining groundwater.
7. "Well Abandonment" means the proper filling and sealing of a well according to the provisions of s. NR 812.26, Wisconsin Administrative Code.

D. Abandonment Required. All wells on premises served by the municipal water system shall be properly abandoned in accordance with Section 6 of this ordinance by December 31, 2012 or not later than 1 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 of Amherst under terms of Section 5 of this ordinance.

E. Well Operation Permit. 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 no later than 1 year after connection to the municipal water system. The Village of Amherst shall grant a permit to a well owner to operate a well for a period not to exceed 5 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 of Amherst or its agent, may conduct inspections and water quality tests or 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 Clerk.

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 s. NR 812.42, Wisconsin Administrative Code. The well and pump system shall be evaluated by a licensed well driller or pump installer and certified on the Wisconsin Well and Pressure System Inspection Form 3300-221 to comply with ch. NR 812 subch. IV, prior to issuing the initial permit and no less than every 10 years afterwards.
- (2) The well and pump shall have a history of producing safe water evidenced by at least 1 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 sewer utility.
- (5) The private well shall have a functional pumping system.
- (6) The proposed use of the private well shall be justified as reasonable in addition to water provided by the municipal water system.

#### F. ABANDONMENT PROCEDURES

- (1) All wells abandoned under the jurisdiction of this ordinance shall be done according to the procedures and methods of s. NR 812.26, Wisconsin Administrative Code. All debris, pumps, piping, unsealed liners and any other obstructions which may interfere with sealing operations shall be removed prior to abandonment.
- (2) The owner of the well, or the owner's agent, shall notify the clerk 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 system.
- (3) An abandonment report form, supplied by the Department of Natural Resources, shall be submitted to the Clerk and the Department of Natural Resources within 30 days of the completion of the well abandonment. The form must be completed by the licensed well driller, pump installer, or certified operator performing the abandonment.

G. Penalties: Any well owner violating any provision of this ordinance shall be subject to the penalties described in Section 16.10. In addition if any person fails to comply with this ordinance for more than ten days after receiving written notice of the violation, the Amherst Village Board may impose a penalty and cause the well abandonment to be performed and the expense to be assessed as a special tax against the property.