

# LAND O' LAKES SANITARY DISTRICT #1

## ORDINANCE NO. 2025-01

REPLACING ORDINANCE NO. 2010-03 & ORDINANCE NO. 2016-01

### **PRIVATE WELL ABANDONMENT and WELL OPERATION PERMIT ORDINANCE**

WHEREAS, s. NR 810.16, *Wisconsin Administrative Code*, directs suppliers of water for municipal water systems and communities served by municipal water systems to implement a local well regulations program requiring proper abandonment of unused, unsafe or noncomplying wells located on the premises served by the municipal water system and to provide permits for retention of safe, code-complying wells by local ordinance of water utility rule in order to prevent all unused, unsafe and noncomplying wells from becoming safety hazards or channels for contamination of aquifers and to prevent illegal cross-connections with the municipal system.

NOW THEREFORE, the Land O' Lakes Sanitary District #1 of the Town of Land O' Lakes, Vilas County, Wisconsin, does ordain as follows:

#### **SECTION 1: PURPOSE**

To protect public health, safety and welfare. To prevent contamination of water supplies 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 filled and sealed.

#### **SECTION 2: APPLICABILITY**

This ordinance applies to all wells located on the premises served by the Land O' Lakes Sanitary District #1 municipal water system. Communities outside the jurisdiction of a supplying municipal system are also required by code, contract agreement or utility rule to adopt and enforce equivalent ordinances within their jurisdictions for the purpose stated in **SECTION 1**.

#### **SECTION 3: DEFINITIONS**

- A. "Municipal water system" means a community water system owned by city, village, county, town, utility district, town sanitary 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.
- B. "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. NR812.43, *Wisconsin Administrative Code*.
- C. "Pump installation" means the pump and related equipment used for withdrawing water from a well including the discharge piping, the underground connections, pitless adaptors, pressure tanks, pits, sampling faucets and well seals or caps.
- D. "Unsafe" means a well or pump installation which produces water that is bacteriologically contaminated or contaminated with substances which exceed the drinking water standards of *Chapter NR 140 or 809, Wisconsin Administrative Code* or for which a Health Advisory has been issued by the Department of Natural Resources.
- E. "Unused" well or pump installation means one which does not have a functional pumping system or other complying means of withdrawing water.

- F. "Well" means a drillhole, 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 water.
- G. "Well abandonment" means the proper filling and sealing or decommissioning of a well according to the provisions of s. NR 812.26, *Wisconsin Administrative Code*.

#### **SECTION 4: WELL ABANDONMENT REQUIRED**

All wells on premises served by the municipal water system shall be properly abandoned in accordance with **SECTION 7** of this ordinance by the date of disconnect or no later than 90 days from the date of connection to the municipal water system, unless a valid operation permit has been issued to the well owner by the Land O' Lakes Sanitary District #1 under the terms of **SECTION 6** of this ordinance.

#### **SECTION 5: PRIVATE WELL OPERATION PERMIT WITHIN SANITARY DISTRICT BOUNDARIES**

- A. No person whose premises are served with water from the Land O' Lakes Sanitary District #1 shall be granted a permit to maintain or use a private well as a source of domestic potable water within the Land O' Lakes Sanitary District #1 boundaries.
- B. No person whose premises are served with water from the Land O' Lakes Sanitary District #1 shall maintain or use a private well as a source of non-potable water within the Land O' Lakes Sanitary District #1 boundaries without first obtaining and maintaining a permit.

#### **SECTION 6: WELL OPERATION PERMIT**

Owners of wells on premises served by the Land O' Lakes Sanitary District #1 shall make an application for a well operation permit for each well no later than 90 days after connection to the municipal water system or date of discovery or construction of the well. The Land O' Lakes Sanitary District #1 shall grant a permit to a well owner to operate a well for a period not to exceed five (5) years providing conditions of **SECTION 6** are met. A well operation permit may be renewed by submitting an application verifying that the conditions of **SECTION 6** are met. The Land O' Lakes Sanitary District #1, 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 renewal or application. Permit applications and renewals shall be made on forms provided by the Land O' Lakes Sanitary District #1 Clerk. All initial and renewal applications must be accompanied by a fee of \$50.00.

The following conditions must be met for issuance of a well operation permit:

1. The well and pump installation shall comply with the *Standards for Existing Installation* described in the s. NR 812.42, *Wisconsin Administrative Code*, or repaired to comply with current standards. Compliance shall be verified by inspection for initial issuance of a permit and every 5 years thereafter. Inspections shall be conducted by a Wisconsin licensed well driller or pump installer, at the expense of the private well owner, and documented on inspection report form DNR #3300-221, to be submitted to the Land O' Lakes Sanitary District #1 Clerk.
2. The well and pump shall have a history of producing safe water evidenced by a certified lab report, at the expense of the private well owner, for at least 1 coliform bacteria sample within prior 30 days and submitted to the Land O' Lakes Sanitary District #1 Clerk. In areas where the Department of Natural Resources (DNR) 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. Any additional chemical tests required will be at the expense of the private well owner.

3. There shall be no cross-connections or interconnection between the well's pump installation or distribution piping and the municipal water system unless approved by the utility and the DNR.
4. The water from the well shall not discharge into the 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 or other complying means of withdrawing water.
6. The proposed use of the private well shall be justified as reasonable in addition to water provided by the municipal water system.
7. Subdivision and or sale of property within the Land O' Lakes Sanitary District #1 where water service is not available does not constitute a hardship. As such, the seller or developer, or agent of the seller or developer, is responsible for informing potential buyers that the cost for sanitary district connections to the main infrastructure or existing laterals is the responsibility of the requester.

## **SECTION 7: ABANDONEMENT PROCEDURES**

All wells on premises served by the municipal water system shall be properly abandoned by the date of disconnect or no later than 90 days from the date of disconnect. Abandonment procedures MUST obey the following criteria:

1. All wells abandoned under the jurisdiction of this ordinance shall be filled and sealed according to the procedures and methods of s. *NR 812.26, Wisconsin Administrative Code*.
2. All well filling and sealing under the jurisdiction of this ordinance shall be performed by, or under the supervision of, a Certified Water System Operator employed by the Land O' Lakes Sanitary District #1 or by a Wisconsin licensed Well Driller or Pump Installer, per s. *280.30 Wisconsin Statutes*.
3. The owner of the well, or the owner's agent, may be required to obtain a well abandonment permit prior to any well abandonment and shall notify the Land O' Lakes Sanitary District #1 Clerk a minimum of 48 hours in advance of any well abandonment activities. The abandonment of the well may be observed or verified by the personnel of the Land O' Lakes Sanitary District #1.
4. A well filling and sealing report form, DNR#3300-005, supplied by the Department of Natural Resources (DNR) and available on the DNR website, shall be submitted by the well owner to the Land O' Lakes Sanitary District #1 Clerk and to the DNR within 30 days of the completion of the well abandonment.

## **SECTION 8: PENALTIES**

Any well owner violating any provision of this ordinance shall upon conviction be punished by forfeiture of not less than \$100.00 nor more than \$10,000.00 and the cost of prosecution. Each day of violation is a separate offense. If any person fails to comply with this ordinance for more than 30 days after receiving written notice of the violation, the municipality 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.

## SECTION 9: WELL OPERATION FEES

Effective as of the publication date of this ordinance, any applicant for an initial well operation permit or a renewal well operation permit shall pay at the time of application a fee of \$50.00. Any fees charged for extracting, analyzing or reporting the analysis of water samples shall be separately paid by the applicant. A well operation permit application shall not be considered complete until the permit application fee is paid. All other rights and responsibilities shared by the customers of the Land O' Lakes Sanitary District #1 shall also apply to the Permitted Private Well Customers.

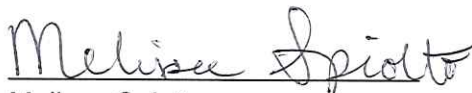
Adopted this 10th day of December, 2025,  
By the Land O' Lakes Sanitary Board.



Kevin Konnow  
LOLSD #1 Chairman



Mike McAdams  
LOLSD #1 Treasurer



Melissa Spiotto  
LOLSD #1 Secretary

Adopted this 17th day of December, 2025,  
By the Land O' Lakes Town Board.



Dan Balog  
LOL Town Chairman



Kevin Konnow  
LOL Town Supervisor



Sam Otterpohl  
LOL Town Supervisor



Lynn Jolin  
LOL Town Clerk/Treasurer