

3 AN ORDINANCE AMENDING §74-158
4 OF THE VILLAGE OF LANNON CODE OF ORDINANCES
5 REGULATING ABANDONMENT OF WELLS WITHOUT EXCEPTION
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8 WHEREAS, the Village of Lannon (“Village”) has a municipal water system (“System”) that
9 services a portion of the territory of the Village; and
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12 WHEREAS, the Village has received a Letter dated March 9, 2020 from its Village Engineer
13 documenting a health hazard prevalent within the water supply available to private wells within the
14 jurisdiction of the Village and attached hereto as Exhibit A; and
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17 WHEREAS, the Village has embarked on plans to expand its System to include as many
18 parcels as financially feasible within the Village in an effort to protect the citizens of the Village from
19 the health hazard detailed in Exhibit A; and
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22 WHEREAS, the Village Board of Trustees of the Village of Lannon adopted on March 9th
23 2020, as Findings of the Village Board, the health hazard detailed in Exhibit A and further declared
24 a blighted condition with respect to the water supply available to private wells within the jurisdiction
25 of the Village effective as of March 9th 2020, the date that the Village Board received Exhibit A.
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27 NOW, THEREFORE, IN CONSIDERATION OF THE ABOVE INDICATED RECITALS
28 AND EXHIBIT WHICH ARE MADE A PART AND FULLY INCORPORATED AS PART OF
29 THIS ORDINANCE, THE VILLAGE BOARD OF THE VILLAGE OF LANNON DO ORDAIN
30 AS FOLLOWS:

31 **SECTION 1:** §74-158 of the CODE OF ORDINANCES OF THE VILLAGE OF LANNON is
32 hereby amended to require as follows:

33 **Sec. 74-158. Abandonment of Wells**

34 *Purpose.* To protect public health, safety and welfare, and to prevent contamination of
35 groundwater by assuring that unused, unsafe or noncomplying wells, or wells which may act as
36 conduits for contamination of groundwater, or wells which may be illegally cross-connected to
37 the municipal water system, are properly abandoned.

38 *Abandonment required upon availability of municipal water.* All wells on premises served by
39 the municipal water system shall be abandoned in accordance with the terms of this section and
40 Wis. Admin. Code NR ch. 812 no later than 20 days following connection to the municipal

41 water system. In the event an owner fails to abandon all wells in accordance with the
42 provisions of this Code and Chs. NR 811 and NR 812, Wis. Adm. Code, within 30 days after
43 receiving notice in writing by the village, the village may thereafter complete or cause to be
44 completed any work necessary to bring the property in compliance with this provision and the
45 provisions of the Wisconsin Administrative Code, and charge the cost thereof to the owner of
46 the premises as a special charge against the property pursuant to Wis. Stats. § 66.0627. Such
47 costs shall be due in full within 30 days. Pursuant to Wis. Stats. § 66.0627, all costs so charged
48 and not paid when due shall be a lien upon such property and may be assessed and collected as
49 a special charge on the next property tax bill if not paid within the 30-day period. Interest at
50 one percent per month shall be assessed on any unpaid balance.

51 *Procedures.*

52 All wells abandoned under this section shall be abandoned according to the procedures and
53 methods of Wis. Admin. Code NR ch. 812. All debris, pump, piping, unsealed liners and any
54 other obstructions which may interfere with sealing operations shall be removed prior to
55 abandonment under the observation of the designated Village plumbing inspector.

56 The owner of the well, or the owner's agent, shall notify the designated Village plumbing
57 inspector at least 48 hours prior to commencement of any well abandonment activities. The
58 abandonment of the well shall be observed by the designated Village plumbing inspector.

59 An abandonment report form, supplied by the Wisconsin Department of Natural Resources,
60 shall be submitted by the well owner to the Village Engineer, designated Village plumbing
61 inspector and the Wisconsin Department of Natural Resources within ten days of the
62 completion of the well abandonment.

63
64 **SECTION 2:** If any section, sentence, clause, phrase or portion of this ordinance is for any reason
65 held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be
66 deemed a separate, distinct and independent provision, and such holding shall not affect the
67 validity of the remainder of such ordinance.

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69 **SECTION 3:** This ordinance shall take effect and be in full force from and after its passage and
70 publication.

71 Passed and approved this 13th day of July, 2020.

72
73 VILLAGE OF LANNON

74
75 By: _____
76 Tom Gudex, Village President

77 ATTEST:
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79 _____
80 Brenda Klemmer, Village Clerk/Treasure