

ORDINANCE NO. 2026-009

VILLAGE OF CRIVITZ

AN ORDINANCE REPEALING AND RECREATING SECTION 42-48 OF THE VILLAGE OF CRIVITZ CODE OF ORDINANCES RELATING TO PRIVATE WELL ABANDONMENT

The Village Board of the Village of Crivitz, Marinette County, Wisconsin, does ordain as follows:

SECTION 1

Sec. 42-48. Private wells; well-operation permits; filling and sealing.

(a) Purpose.

The purpose of this section is to protect public health, safety and welfare; protect groundwater; prevent unused, unsafe or noncomplying wells from serving as conduits for groundwater contamination; and prevent cross-connections between private wells and the Village municipal water system.

Nothing in this section relieves a property owner from any otherwise applicable requirement to connect to, receive service from, or pay applicable charges associated with the Village municipal water system.

(b) Applicability.

This section applies to all private wells located within the corporate limits of the Village of Crivitz and to any private well located outside the corporate limits on premises served by the Village municipal water system.

(c) Definitions.

For purposes of this section:

Municipal water system means the community water system owned and operated by the Village of Crivitz.

Noncomplying well or pump installation means a well or pump installation that does not meet the standards for existing installations under Wis. Admin. Code § NR 812.42 and that has not received an applicable variance under Wis. Admin. Code ch. NR 812.

Private well means a drill hole, driven-point well, sandpoint well or other excavation or opening constructed for the purpose of obtaining groundwater and regulated under Wis. Admin. Code ch. NR 812.

Pump installation means the pump and related equipment used to withdraw water from a well, including discharge piping, underground connections, pitless adapters, pressure tanks, sampling faucets, well seals and well caps.

Unsafe well or pump installation means a well or pump installation that produces bacteriologically contaminated water, produces water containing substances exceeding applicable groundwater or drinking-water standards, or otherwise presents a threat to public health or groundwater.

Unused well or pump installation means a well or pump installation that is not used or does not have a functional pumping system.

Well filling and sealing means properly filling and sealing a well in accordance with Wis. Admin. Code § NR 812.26.

Well-operation permit means a permit issued by the Village authorizing operation of a private well for an approved use and for a period not exceeding one year.

(d) Filling and sealing required.

All private wells subject to this section shall be properly filled and sealed within 90 days after written notice from the Village unless the Village has issued a valid well-operation permit for the well.

A private well may continue to operate only while a valid well-operation permit remains in effect.

(e) Well-operation permit required.

1. No private well subject to this section may be operated without a valid well-operation permit issued by the Village.
2. A separate permit is required for each private well.
3. A well-operation permit shall be valid for a period not exceeding one year.
4. The permit must be renewed annually for as long as the private well remains in operation.
5. A permit shall not renew automatically.
6. Applications and renewal applications shall be submitted on forms provided by the Village Clerk-Treasurer.
7. Issuance of a permit does not create a permanent right to operate the well or guarantee future renewal.

(f) Proposed new private wells.

1. A property owner proposing to construct a new private well subject to this section shall submit an application for conditional well-operation approval and receive that approval before well construction begins.
2. The conditional review shall determine whether the proposed use appears capable of satisfying the requirements of this section.
3. Conditional Village approval does not:
 - a. Authorize construction of the well;
 - b. Replace any Wisconsin DNR notification, approval, licensing, construction, inspection, testing or reporting requirement; or
 - c. Guarantee issuance of the final well-operation permit.
4. No well construction may begin until the Village has granted conditional well-operation approval and the property owner has completed all applicable Wisconsin DNR preconstruction notification and approval requirements.
5. A final well-operation permit shall not be issued until construction is complete and the applicant has submitted all required construction reports, inspection documentation and water-quality test results.

(g) Application requirements.

An initial well-operation permit application shall include:

1. The name, address and contact information of the property owner.
2. The address and parcel number of the property.
3. The type of private well, including whether the well is drilled or driven-point/sandpoint.
4. A written description of the proposed use of the private well.
5. Information demonstrating that the proposed use of the private well is reasonable in addition to water provided by the Village municipal water system.
6. For a proposed new private well, a site plan showing:
 - a. The proposed well location;
 - b. Existing and proposed buildings;
 - c. Septic tanks, soil absorption systems and other private onsite wastewater system components;
 - d. Municipal sanitary sewer mains and laterals;
 - e. Municipal water mains and laterals;
 - f. Fuel tanks and chemical storage areas; and

g. Other potential sources of groundwater contamination.

7. The Wisconsin DNR Well Construction Notification Number for a proposed new well.
8. The name and license information of the well driller and pump installer when licensing is required by state law.
9. Proposed plumbing information demonstrating that the private well system will remain physically separate from the Village municipal water system.
10. Copies of any Wisconsin DNR approvals, construction reports, inspections, water-quality results or other applicable documentation.
11. Any additional information reasonably necessary for the Village to determine whether the requirements of this section have been met.

(h) Conditions for issuance or renewal.

The Village shall issue or renew a well-operation permit when all of the following conditions are met:

1. The well and pump installation meet the standards for existing installations under Wis. Admin. Code § NR 812.42, or an applicable variance or other written approval has been granted by the Wisconsin DNR.
2. For a newly constructed well, the applicant has provided the Village with a copy of the completed Wisconsin Well Construction Report and all required initial water-quality test results.
3. The well produces bacteriologically safe water.
4. For an initial permit, bacteriologically safe water is demonstrated by three samples collected at least two weeks apart, at the property owner's expense.
5. For each annual renewal, bacteriologically safe water shall be demonstrated by at least one sample collected within 30 days before submission of the renewal application and submitted with the renewal application, at the property owner's expense.
6. When the Wisconsin DNR has determined that groundwater in the area is or may be contaminated with substances other than bacteria, the applicant submits any additional water-quality testing required to document the safety of the water.
7. No direct or indirect cross-connection exists between the private well pump installation or distribution piping and the Village municipal water system.
8. Water from the private well does not discharge into a drain leading to the Village sanitary sewer unless the discharge is properly metered and authorized by the Village sewer utility.
9. The private well has a functional pumping system.
10. The proposed use of the private well is justified as reasonable in addition to water provided by the Village municipal water system.
11. The applicant has paid the applicable permit fee.
12. All information required by this section has been submitted and is complete and accurate.

(i) Review and approval.

1. The Village's certified water operator shall review each initial application and renewal application and provide a recommendation.
2. Final approval or denial shall be made by the Village Board or by a committee designated by the Village Board.
3. When all requirements of this section have been satisfied, the Village shall issue or renew the well-operation permit.
4. The Village may impose reasonable conditions directly related to:
 - a. The approved use of the private well;
 - b. Prevention of cross-connections;
 - c. Protection of the municipal water system;
 - d. Protection of groundwater and public health;
 - e. Required testing and inspection; and
 - f. Compliance with applicable state requirements.
5. A permit may limit the private well to the specific use described and approved in the application.
6. Payment of the permit fee does not guarantee approval.

(j) Annual renewal requirements.

Each annual renewal application shall include:

1. The annual renewal fee.
2. The required annual bacteriological water-quality test result.
3. Confirmation that the private well remains in operation for the use approved by the Village.
4. Confirmation that no direct or indirect physical connection or cross-connection exists between the private well and the Village municipal water system.
5. Disclosure of any change to the well, pump, piping, plumbing or use of the private well.
6. Copies of any inspection, repair, testing or Wisconsin DNR documentation completed during the preceding permit year.
7. A signed certification from the property owner that the information submitted is complete and accurate.

(k) Inspection and additional testing.

1. The Village or its authorized representative may conduct inspections and water-quality tests or require inspections and water-quality tests at the applicant's expense when necessary to obtain or verify information related to an initial application or renewal.

2. At least once every ten years, the property owner shall have the well and pump installation inspected by a Wisconsin-licensed well driller or licensed pump installer.
3. The ten-year inspection shall verify:
 - a. Compliance with the standards for existing installations under Wis. Admin. Code § NR 812.42;
 - b. The sanitary condition of the well and pump installation;
 - c. That the private well has a functional pumping system; and
 - d. That the private well does not serve any fixture or piping connected to the Village municipal water system.
4. A copy of the ten-year inspection report shall be submitted to the Village.
5. The Village may require an inspection more frequently when:
 - a. A water-quality concern exists;
 - b. A cross-connection is suspected;
 - c. The well or pump installation has been altered;
 - d. A permit condition has been violated; or
 - e. Additional inspection is required or recommended by the Wisconsin DNR.
6. All inspection, testing, repair and documentation costs shall be the responsibility of the property owner.

(l) Cross-connections prohibited.

1. No direct or indirect physical connection may exist between the private well or private well piping and the Village municipal water system.
2. Valves, check valves, backflow-prevention devices or other mechanical devices shall not be considered an acceptable means of separating the two water systems.
3. If municipal water piping is installed after the private well is placed into operation, the private well piping shall remain physically separate from the municipal water piping.
4. A cross-connection shall be corrected immediately.
5. Discovery of a cross-connection may result in immediate suspension of the well-operation permit and disconnection of municipal water service as authorized by applicable law and utility rules.

(m) Discharge to sanitary sewer or private septic system.

1. Water from a private well may not be discharged into the Village sanitary sewer unless authorized and properly metered for sewer billing purposes.
2. When all private well water is discharged to a private onsite wastewater treatment or septic system and does not enter the Village sanitary sewer, a Village sewer meter is not required under this section.

(n) Permit denial, suspension, revocation or nonrenewal.

A permit may be denied, suspended, revoked or not renewed when:

1. Any requirement of this section is not met.
2. The well or pump installation is unsafe, unused or noncomplying.
3. The required testing, inspection, documentation or fees have not been submitted.
4. The approved use has been discontinued or materially changed.
5. A direct or indirect cross-connection exists or is suspected.
6. The well is being used for a purpose not authorized by the permit.
7. A permit condition has been violated.
8. Information submitted by the applicant or permit holder is false, incomplete or misleading.
9. The proposed or continued use of the private well is not justified as reasonable in addition to water provided by the Village municipal water system.

Unless an immediate public health or safety hazard exists, the Village shall provide written notice stating the reason for the proposed action and allow the owner a reasonable period to correct the violation.

When an immediate public health or safety hazard exists, the Village may order the well taken out of service immediately.

(o) Filling and sealing procedures.

1. A well required to be filled and sealed under this section shall be filled and sealed in accordance with Wis. Admin. Code § NR 812.26 and all other applicable state requirements.
2. Pumps, piping, unsealed liners, debris and other obstructions that may interfere with filling and sealing shall be removed before the work is performed.
3. Well filling and sealing shall be performed by a Wisconsin-licensed well driller or licensed pump installer as required by state law.
4. The property owner or the owner's contractor shall notify the Village at least 48 hours before filling and sealing begins.
5. The Village may observe or verify the filling and sealing work.
6. A completed Well Filling and Sealing Report shall be submitted to the Wisconsin DNR within the period required by state law.
7. A copy of the completed Well Filling and Sealing Report shall be provided to the Village within 30 days after the work is completed.

(p) Fees and costs.

1. Initial and annual renewal applications shall be accompanied by the applicable fee established by the Village Board in the Village fee schedule.
2. Payment of the applicable fee does not guarantee issuance or renewal of a permit.
3. All costs related to Wisconsin DNR notifications, professional services, well construction, laboratory testing, inspections, repairs, corrective work, filling and sealing, and required documentation shall be paid by the property owner.

(q) Existing wells and permits.

1. Existing private wells subject to this section shall obtain and maintain a valid well-operation permit.
2. A well-operation permit in effect on the effective date of this ordinance shall remain valid until its stated expiration date.
3. All renewals submitted after the effective date of this ordinance shall be governed by this section.

SECTION 2

The Village of Crivitz fee schedule is amended to include:

Private Well Fees

Initial well-operation permit: **\$75.00**

Annual well-operation permit renewal: **\$50.00**

Laboratory testing, licensed inspections, repairs, corrective work, well filling and sealing, and other required professional services: **Actual cost paid by the property owner**

SECTION 3

If any provision of this ordinance is found invalid or unenforceable, the remaining provisions shall remain in full force and effect.

SECTION 4

All ordinances or portions of ordinances conflicting with this ordinance are repealed to the extent of the conflict.

SECTION 5

This ordinance shall take effect upon passage and publication or posting as required by law.

Adopted by the Village Board of the Village of Crivitz this 26 day of August, 2026.

Offered by: George Gocht

Seconded by: Ashley Scriven

Vote: Ayes: 5 Nays: 0 Abstentions: 0 Absent: 0

Virginia Deschane

Ginger Deschane Village President

Attest:

Elizabeth Moser

Elizabeth Moser Village Clerk-Treasurer