

Title 11

Wellhead Protection

Chapters:

- 11.04.010 Purpose and Scope**
- 11.04.020 Definitions**
- 11.04.030 Permitted Uses**
- 11.04.040 Groundwater Protection Overlay District**
- 11.04.050 Exemptions and Waivers**
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Sections:

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11.04.010 Purpose and Scope.

The residents of the Village of Oakfield (hereafter Village) depend exclusively on groundwater for a safe drinking water supply. Certain land use practices and activities can seriously threaten or degrade groundwater quality. The purpose of the WHP Ordinance is to institute land use regulations and restrictions to protect the Village municipal water supply and well fields, and to promote the public health, safety and general welfare of the residents of the Village. These regulations are established pursuant to the authority granted to Villages by the Wisconsin Legislature in ss. 62.23(7) Wis. Stats., to adopt ordinances to protect groundwater. The regulations specified in the WHP ORDINANCE shall apply within the Village boundary limits.

11.04.020 Definitions.

“Existing facilities” means current facilities, practices and activities which may cause or threaten to cause environmental pollution within that portion of the Village’s wellhead protection area that lies within the corporate limits of the Village. Existing facilities include but are not limited to the type listed in the Department of Natural Resources’ form 3300-215, Public Water Supply Potential Contaminant Use Inventory Form.

“Groundwater divide” means a ridge in the water table or the potentiometric surface from which ground water flows away at right angles in both directions. A groundwater divide is represented by the line of highest hydraulic head in the water table or potentiometric surface.

“Groundwater protection overlay district” means that area described within the Village’s wellhead protection plan. A copy of the Village’s wellhead protection plan can be obtained from the Village Clerk.

“Recharge area” means the land area which contributes water to a well by infiltration of water into the subsurface and movement with groundwater toward the well.

“Time of travel” means the determined or estimated time required for a contaminant to move in the saturated zone from a specific point to a well.

“Well field” means a piece of land used primarily for the purpose of supplying a location for construction of wells to supply a municipal water system.

11.04.030 Permitted Uses.

Subject to the exemptions listed in section (3)(e), the following are the only permitted uses within the DISTRICT. Uses not listed are to be considered non-permitted uses.

1. Parks, provided there is no on-site waste disposal or fuel storage tank facilities associated with this use.

2. Playgrounds

3. Wildlife areas

4. Non-motorized trails, such as biking, skiing, nature and fitness trails

5. Municipally sewered residential development, free of flammable and combustible liquid underground storage tanks

6. Municipally sewered business development zoned B-1, except for the following uses:

a. Above ground storage tanks

b. Asbestos product sales

- c. Automotive service and repair garages, body shops
- d. Blue printing and photocopying services
- e. Car washes
- f. Equipment repair services
- g. Laundromats
- h. Dry cleaning
- i. Gas stations
- j. Holding ponds or lagoons
- k. Infiltration ponds
- l. Nurseries, lawn and garden supply stores
- m. Small engine repair services
- n. Underground storage tanks
- o. Wells, private, production, injection or other
- p. Any other use determined by the Village Zoning Administrator to be similar in nature to the above listed items.

The following separation distances as specified in s. NR 811.16(4)(d), Wis. Adm. Code, shall be maintained and shall not be exempted as listed in section (3)(e).

1. Fifty feet between a well and a storm sewer main
2. Two hundred feet between a well and any sanitary sewer main, lift station or a single family residential fuel oil tank. A lesser separation distance may be allowed for sanitary sewer mains where the sanitary sewer main is constructed of water main materials and joints and pressure tested in place to meet current AWWA C600 specifications. In no case may the separation distance between a well and a sanitary sewer main be less than 50 feet.
3. Four hundred feet between a well and a septic system, tank, or drain field, and receiving less than 8,000 gallons per day, a cemetery or a storm water drainage pond.
4. Six hundred feet between a well and any gasoline or fuel oil storage tank installation that has received written approval from the Wisconsin Department of

Commerce (hereafter Commerce) or its designated agent under s. Comm 10.10, Wis. Adm. Code.

5. One thousand feet between a well and land application of municipal, commercial or industrial waste; industrial, commercial or municipal wastewater, lagoons or storage structures, manure stacks or storage structures, and septic tanks or soil absorption units receiving 8,000 gallons per day or more.

6. Twelve hundred feet between a well and any solid waste storage, transportation, transfer, incineration, air curtain destructor, processing, one time disposal or small demolition facility sanitary landfill coal storage area; gasoline or fuel oil storage tanks that have not received written approval from Commerce or its designated agent under s. Comm 10.10, Wis. Adm. Code; bulk fuel storage facilities and pesticide handling or storage facilities.

Requirements for existing facilities

1. Existing facilities shall provide copies of all federal, state and local facility operation approvals or certificate and on-going environmental monitoring results to the Village.
2. Existing facilities shall provide additional environmental or safety structures/monitoring as deemed necessary by the Village, which may include but is not limited to stormwater runoff management and monitoring.
3. Existing facilities shall replace equipment or expand in a manner that improves the existing environmental and safety technologies already in existence.
4. Existing facilities shall have the responsibility of devising and filing with the Village a contingency plan satisfactory to the Village for the immediate notification of Village officials in the event of an emergency.

11.04.040 Groundwater Protection Overlay District.

The area to be protected as a District is based on the delineated Wellhead Protection Area in the Wellhead Protection Plan, Wells #2 and #5, Village of Oakfield, Wisconsin February 2008. As noted in the plan area, has been extended to include convenient geographic boundaries rather than the exact calculated oval.

These lands are subject to land use and development restrictions because of their close proximity to the well fields and the corresponding high threat of contamination.

11.0.050 Exemptions and Waivers.

1. Individuals and/or facilities may request the Village in writing, to permit additional land uses in the District.

2. All requests shall be in writing, whether on or in substantial compliance with forms to be provided by the Village and may require an environmental assessment report prepared by a licensed environmental engineer. Said report shall be forwarded to the Village and/or designee(s) for recommendation and final decision by the Village Board.

3. The individual/facility shall reimburse the Village for all consultant fees associated with this review at the invoiced amount plus administrative costs.

4. Any exemptions granted shall be conditional and may include required environmental and safety monitoring consistent with local, state and federal requirements, and/or bonds and/or securities satisfactory to the Village.

11.04.060 Enforcement.

(a) In the event that an individual and/or facility causes the release of any contaminants which endanger the DISTRICT, the individual and/or facility causing said

release shall immediately stop the release and clean up the release to the satisfaction of the Village.

(b) The individual/facility shall be responsible for all costs of clean up, including all of the following:

1. Village consultant fees at the invoice amount plus administrative costs for oversight, review

2. The Cost of Village's employees' time associated in any way with clean up based on the hourly rate paid to the employee multiplied by a factor determined by the Village representing the Village's cost for expenses, benefits, insurance, sick leave, holidays, overtime, vacation, and similar benefits.

3. The cost of Village equipment employed.

4. The cost of mileage reimbursed to Village employees attributed to the clean up.

(c) Following any such discharge the Village may require additional test monitoring and/or bonds/securities.

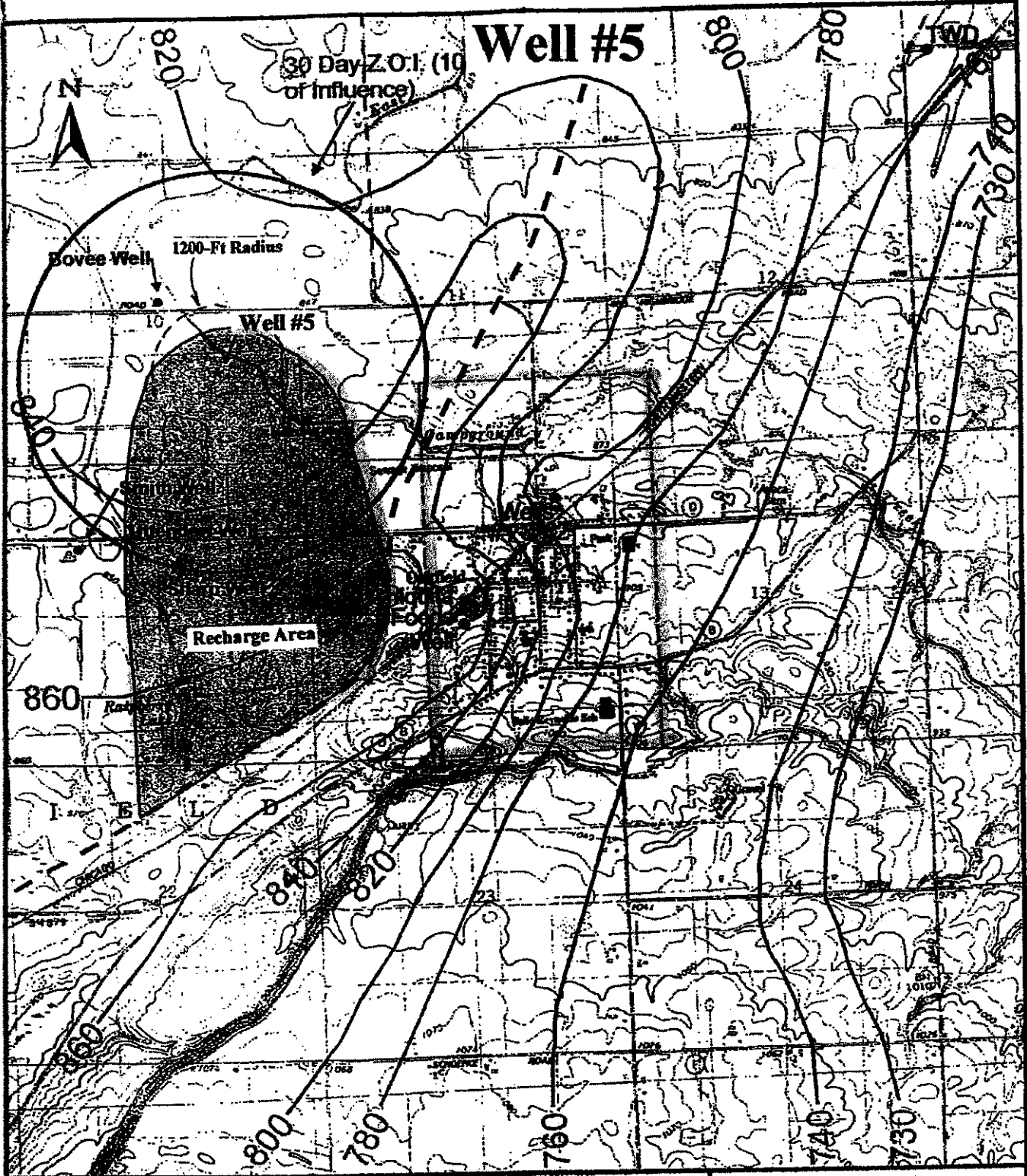
(d) Enforcement shall be provided pursuant to section 10-1-18 of the Code.

11.04.070 Severability Clause.

If any section, subsection, sentence, clause paragraph or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, or other applicable administrative or governing body, such decision shall not effect the validity of any other section, subsection, sentence, clause, paragraph or phrase or portion thereof. The Village Board of the Village of Oakfield hereby declares that they would have passed this Ordinance and each section, subsection, sentence, clause, paragraph or phrase thereof irrespective of the fact that any one or more other sections, subsections, sentences, clauses, paragraphs, or phrases may be declared invalid or unconstitutional. All

Ordinances in conflict with the foregoing are hereby repealed or amended to read consistent with this Ordinance.

Figure 4B. Wellhead Protection Area



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Scale
 1" = 2400'
 July 2001

- Legend**
- Well Location
 - Potentiometric Surface Elevation (MSL)
 - ▭ Zone of Contribution
 - - - Groundwater Divide