

TITLE 8

Community Welfare, Refuse and Sanitation

<i>Section Number</i>	<i>Title</i>	<i>Ordinance Number</i>	<i>Date Ordinance was Created</i>
Chapter 1	Residential Uses and Discharges Affecting Community Health	2009-10	11/03/09
Chapter 2	Pollution Abatement		
Chapter 3	Refuse Disposal		
Chapter 4	Holding Tanks		
Chapter 5	Human Health Hazards – Moved to Title 17, Chapter 1	2009-10	11/03/09
Chapter 6	Environmental Sanitation Moved to Title 17, Chapter 1	2003-07 2009-10	4/15/2003 11/03/09

CHAPTER 1

Residential Uses and Discharges Affecting Community Health

<i>Section Number</i>	<i>Title</i>	<i>Ordinance Number</i>	<i>Date of Ordinance</i>
8-1-1	Deposit of Deleterious Substances Prohibited		
8-1-2	Destruction of Noxious Weeds	2002-14 2012-04 2016-01	5/23/02 07/17/12 02/01/16
8-1-3	Regulation of Natural Lawns		
8-1-4	Regulation of Length of Lawn and Grasses on Residential or Commercial Properties	2002-14 2012-04	5/23/02 07/17/12
8-1-5	Disposal of Human and Liquid Waste Regulated	2000-14	7/5/00
8-1-6	Discharge of Unpolluted Waters into Sanitary Sewers		
8-1-7	Dumping and Storage of Rubbish		
8-1-8	Private Well Abandonment	2002-03 2004-08	2/5/02 10/5/04

SEC. 8-1-1 DEPOSIT OF DELETERIOUS SUBSTANCE PROHIBITED.

- (a) It shall be unlawful for any person, firm, or corporation to deposit or cause to be deposited on any public highway, park, or public lands within the Town of Caledonia any garbage,

offal, ashes, rubbish, refuse, junk, cinders, earth, carcasses, manure, or any animal or vegetable waste from any source whatever.

- (b) For the purpose of this Section, the terms rubbish and refuse shall mean paper, rags, wood, glass, crockery, packing materials, tree branches, yard trimmings, used furniture, bedding, tin cans, discarded articles and machines, and other household and business waste not classified as garbage.

SEC. 8-1-2 DESTRUCTION OF NOXIOUS WEEDS.

(a) **Definitions.**

- (1) “Destroy,” for purposes of this Section only, means the complete killing of weeds or the killing of weed plants above the surface of the ground by the use of chemicals, cutting, tillage, cropping system, pasturing livestock, or any or all of these in effective combination, at a time and in a manner as will effectually prevent the weed plants from maturing to the bloom or flower stage. Destruction of noxious weeds by means of cutting shall be accomplished before the weeds exceed twelve (12) inches in height.

- (2) “Noxious weeds,” as used in this Section, includes:

Cirsium Arvese (Canada Thistle),
Ambrosia artemisiifolia (Common Ragweed),
Ambrosia trifida (Great Ragweed),
Euphorbia esula (Leafy Spurge),
Convolvulus arvensis (Creeping Jenny, Field Bind Weed),
Tragopogon dubins (Goat’s Beard),
Rhus radicans (Poison Ivy),
Cirsium vulgaries (Bull Thistle),
Pastinaca sativa (Wild Parsnip),
Arctium minus (Burdock),
Xanthium strumarium (Cocklebur),
Amaranthus retroflexus (Pigweed),
Chenopodium album (Common Lambsquarter),
Rumex Crispus (Curled Dock),
Cannabis sativa (Hemp),
Plantago lancelella (English Plantain),
Ragweed,
Thistles,
Smartweed,
Dandelions (over 10 inches), and
Garlic Mustard.

- (b) **Publication.** The Village may annually on or before May 15th publish a class 2 notice, as defined in Ch. 985 of the Wisconsin Statutes, that every person is required by law to destroy all noxious weeds as herein provided on lands in the Village which the person owns, occupies or controls. A joint notice with other towns or municipalities may also be utilized, if done in accordance with Section 66.0407, Wis. Stats.
- (c) **Procedure.** A person owning, occupying, or controlling land located within the Village of Caledonia shall destroy all noxious weeds on such lands. Destruction of noxious weeds by cutting shall be accomplished before the noxious weeds exceed twelve (12) inches in height, except for dandelions and milkweed, which shall be cut before such weeds reach ten (10) inches in height. If such person neglects to destroy any noxious weeds as required herein, then the Weed Commissioner of the Village shall give five (5) days written notice by mail to the owner, occupant, or person in control of such lands upon which the noxious weeds are growing to the effect that the said Weed Commissioner, after the expiration of the five (5) day period, will proceed to destroy or cause to be destroyed all such noxious weeds growing upon said lands, and that the cost thereof will be assessed as a tax upon the lands upon which such weeds are located under the provision of Sec. 66.0517 of the Wisconsin Statutes. If such delivery is to be effected by mailing, an additional five (5) days time shall be allowed before the weeds may be cut. If the owner, occupant, or person in control fails to comply within five (5) days of such notice or ten (10) days in the case of mailing, the Weed Commissioner shall destroy or cause to be destroyed such noxious weeds in the manner deemed to be the most economical method. The expense thereof, including the cost of billing and other necessary administrative expenses, as well as the cost of sufficiently clearing the property so that it can be safely mowed, shall be charged against such property at the rate established by Village Board resolution and shall be collected as a special tax thereon. The Village Treasurer shall deliver a statement to the property's owner setting forth the total charge for the abatement and requesting payment within thirty (30) days time. If said charge is not paid in full within the allowed time, the outstanding amount shall be collected like other taxes upon real estate, or as provided under Sec. 3-5-1 of the Code of Ordinances. In destroying such noxious weeds, the Weed Commissioner may, but need not, utilize appropriate Village personnel and equipment, the expense of which Village involvement shall be billed to the property's owner or occupant at the rate established by Village Board resolution.
- (d) **Penalty.** In addition to any other charges assessed under this Section, a citation for the violation of this Section may be issued pursuant to the procedures set forth in Title 1, Chapter 2 of this Code. Any person convicted of violating Section 8-1-2 shall forfeit not less than Fifty Dollars (\$50) nor more than One Hundred Dollars (\$100), together with the costs of prosecution. Any person convicted of violating Section 8-1-2 who has been convicted of violating this Section as a second offense shall forfeit not less than One Hundred Dollars (\$100) nor more than Two Hundred Dollars (\$200), together with the costs of prosecution. Any person convicted of violating Section 8-1-2 who has been convicted of violating this Section as a third offense shall forfeit not less than Two Hundred Dollars (\$200) nor more than Three Hundred Dollars (\$300), together with the costs of prosecution. Any person convicted of violating Section 8-1-2 who has been convicted of violating this Section as a fourth or subsequent offense shall forfeit not less than Three Hundred Dollars (\$300) nor more than Four Hundred Dollars (\$400), together with the costs of prosecution. In default of payment of such forfeitures and costs, such

person shall be subject to further order of the court pursuant to Chapter 800 of the Wisconsin Statutes.

State Law Reference: Secs. 66.0407, 66.0517 Wis. Stats.

SEC. 8-1-3 REGULATION OF NATURAL LAWNS.

- (a) **Natural Lawns Defined.** Natural lawn as used in this Section shall include common species of grass and wild flowers native to North America which are designed and purposely cultivated to exceed twelve (12) inches in height from the ground. Specifically excluded in natural lawns are the noxious grasses and weeds identified in section 8-1-2 of this Chapter. The growth of a natural lawn in excess of twelve (12) inches in height from the ground surface on any parcel zoned residential shall be prohibited within the Town corporate limits unless a Natural Lawn Management Plan is approved and a permit is issued by the Town as set forth in this Section. Natural lawns shall not contain litter or debris and shall not harbor undesirable wildlife.
- (b) **Natural Lawn Management Plan Defined.**
- (1) Natural Lawn Management Plan as used in this Section shall mean a written plan relating to the management and maintenance of a lawn which contains a legal description of lawn upon which the planted grass will exceed twelve (12) inches in length a statement of intent and purpose for the lawn a detailed description of the vegetational types plants and plant succession involved and the specific management and maintenance techniques to be employed.
 - (2) Property owners who wish to plant and cultivate a natural lawn must submit their written plan and related information on the form provided by the Town. Property owner shall be defined to include the legal title holder and/or the beneficial owner of any such lot according to most current Town records. Natural Lawn Management Plans shall only indicate the planting and cultivating of natural lawns on property legally owned by the property owner. Applicants are strictly prohibited from developing a natural lawn on any Town owned property including street or road rights-of-way. This shall include at a minimum a strip not less than ten (10) feet adjacent to the street where there is no sidewalk whether the area is under public or private ownership. In addition natural lawns shall not be permitted within ten (10) feet of the abutting property owner's property unless waived in writing by the abutting property owner on the side so affected. Such waiver is to be affixed to the Lawn Management Plan.
 - (3) Any subsequent property owner who abuts an approved natural lawn may revoke the waiver thereby requiring the owner of the natural lawn to remove the natural lawn that is located in the ten (10) foot section abutting the neighboring property owner. Such revocation shall be put in writing and presented to the Town Clerk by the subsequent abutting property owner. Upon receiving the written request to revoke the original waiver, the Town Board shall contact the owner of the approved natural lawn and direct the owner to remove the natural lawn located in the ten (10) foot section abutting the neighboring property owner. The Town Board shall revise the approved Natural Lawn Management Permit accordingly. The owner of the

approved natural lawn shall be required to remove the ten (10) foot section abutting the neighboring property owner within twenty (20) days of receipt of the written notification from the Town provided the notification is received sometime between May 1 and November 1. Property owners who receive notification from the Town between November 1 and April 30 shall be required to remove the ten (10) foot section abutting the neighboring property owner no later than May 20 following receipt of the notification.

(c) **Application Process.**

- (1) Property Owners interested in applying for permission to establish a natural lawn shall obtain and complete an application form available from the Town Clerk. The completed application shall include a Natural Lawn Management Plan. Upon submitting a completed application a Twenty-five Dollar (\$25.00) non-refundable filing fee will be assessed by the Town. Upon receiving payment copies of the completed application shall be mailed by the Town to each of the owners of record as listed in the Office of the Town Assessor who are owners of the property situated for which the application is made. If within fifteen (15) calendar days of mailing the copies of the complete application to the neighboring property owners the Town receives written objections from fifty-one percent (51%) or more of the neighboring property owners the Town Clerk shall immediately deny the application. Neighboring property owners shall be defined as all those property owners who are located within three hundred (300) feet of the proposed natural lawn site.
- (2) If the property owner's application is in full compliance with the Natural Lawn Management Plan requirements and less than fifty-one percent (51%) of the neighboring property owners provide written objections the Town Administrator shall issue permission to install a natural lawn.

(d) **Application for Appeal.** The property owner may appeal the Town Clerk's decision to deny the natural lawn permit request to the Town Board at an open meeting All applications for appeal shall be submitted within fifteen (15) calendar days of the notice of denial of the Natural Lawn Management Plan. The decision rendered by the Town Board shall be final and binding.

(e) **Safety Precautions for Natural Grass Areas.**

- (1) When in the opinion of the Fire Chief the presence of a natural lawn may constitute a fire or safety hazard due to weather and/or other conditions the Fire Chief may order the cutting of natural lawns to a safe condition. As a condition of receiving approval of the natural lawn permit the property owner shall be required to cut the natural lawn within the three (3) days upon receiving written direction from the Fire Chief.
- (2) Natural lawns shall not be removed through the process of burning unless stated and approved as one of the management and maintenance techniques in the Lawn Management Plan. The Fire Chief shall review all requests to burn natural lawns and shall determine if circumstances are correct and all applicable requirements have been fulfilled to insure public safety. Burning of natural lawn shall be strictly prohibited unless a written permit to burn is issued by the Fire Chief. The Fire Chief shall establish a written list of requirements for considering each request to burn natural lawns thereby insuring the public safety. In addition the property owner requesting permission to burn the natural lawn shall produce evidence of

property damage and liability insurance identifying the Town as a party insured. A minimum amount of acceptable insurance shall be Three Hundred Thousand Dollars (\$300,000.00).

- (f) **Revocation Of An Approved Natural Lawn Management Plan Permit.** The Town Chairperson, upon the recommendation of the Weed Commissioner, shall have the authority to revoke an approved Natural Lawn Management Plan Permit if the owner fails to maintain the natural lawn or comply with the provisions set forth in this Section. Notice of intent to revoke an approved Natural Lawn Management Plan Permit shall be appealable to the Town Board. All applications for appeal shall be submitted within fifteen (15) calendar days of receipt of the written Notice of Intent to revoke the approved Natural Lawn Management Plan. Failure to file an application for appeal within the fifteen (15) calendar days shall result in the revoking of the Natural Lawn Management Plan Permit. All written applications for appeal filed within the fifteen (15) calendar day requirement shall be reviewed by the Town Board in an open meeting. The decision rendered by the Town Board shall be final and binding.
- (g) **Public Nuisance Defined - Abatement After Notice.**
- (1) The growth of a natural lawn as defined in this Section shall be considered a public nuisance unless a Natural Lawn Management Plan has been filed and approved and a permit is issued by the Town as set forth in this Section. Violators shall be served with a notice of public nuisance by certified mail to the last-known mailing address of the property owner.
 - (2) If the person so served with a notice of public nuisance violation does not abate the nuisance within ten (10) days the Enforcement Officer may proceed to abate such nuisance keeping an account of the expense of the abatement and such expense shall be charged to and paid by such property owner. Notice of the bill for abatement of the public nuisance shall be mailed to the owner of the premises and shall be payable within ten (10) calendar days from receipt thereof. Within sixty (60) days after such costs and expenses are incurred and remain unpaid, the Town Clerk shall enter those charges onto the tax roll as a special tax as provided by State statute.
 - (3) The failure of the Town Clerk to record such claim or to mail such notice or the failure of the owner to receive such notice shall not affect the right to place the Town expense on the tax rolls for unpaid bills for abating the public nuisance as provided for in this Section.
- (h) **Penalty.**
- (1) Any person, firm, or corporation which does not abate the nuisance within the required time period, or who otherwise violates the provisions of this Section, shall be subject to the general penalty found in Section 1-1-6.
 - (2) In addition to any penalties herein provided, the Town may issue stop work orders upon owners of lots where work is unfinished under a previously issued building permit for any violation of this Section.

**SEC. 8-1-4 REGULATION OF LENGTH OF LAWN AND GRASSES ON
RESIDENTIAL OR COMMERCIAL PROPERTIES.**

- (a) **Definition.** “Lawn grass,” for purposes of this Section, includes any variety of planted or naturally occurring grass including, but not limited to:

Agrostia alba (Redtop)
Dactylis glomerata (Orchard)
Phleum pratensis (Timothy)
Poa pratensis (Kentucky Blue)
Sorghum halepense (Johnson)
Setaria (Foxtail)

- (b) **Purpose.** This Section is adopted due to the unique nature of the problems associated with lawn grass being allowed to grow to excessive length on residentially or commercially zoned property in the Village of Caledonia.
- (c) **Public Nuisance Declared.** The Village Board finds that lawn grass on residentially or commercially zoned property that exceeds twelve (12) inches in length adversely affects the public health and safety in that it tends to emit pollen and other discomforting bits of plants, constitutes a fire and safety hazard in that debris can be hidden in the grass, interferes with the public convenience, and adversely affects property values of other land within the Village. For these reasons, any lawn grass on a residentially or commercially zoned property that exceeds twelve (12) inches in length is hereby declared to be a public nuisance, except for property located in a designated floodplain area, wetland area, or area for which a land management plan has been approved, or where the lawn grass is part of a natural lawn approved pursuant to Section 8-1-3 above.
- (d) **Nuisances Prohibited.** The owner, occupant, or person in control of any property on which the lawn grass constitutes a public nuisance, within the meaning of Subsection (c), must take such actions as are reasonably necessary to abate the nuisance, including cutting the lawn grass as frequently as is necessary to ensure that it does not exceed twelve (12) inches in length.
- (e) **Inspection.** The Weed Commissioner or his designee shall inspect or cause to be inspected all commercial and residential properties within the Village to determine whether any public nuisance, as defined in Subsection (c), exists.
- (f) **Abatement of Nuisance.**
- (1) **Notice.** If the Weed Commissioner determines with reasonable certainty that any public nuisance as defined in Subsection (c) exists, he or she shall immediately deliver to the property owner, occupant, or person in control a written notice that the Village will abate such nuisance, pursuant to the procedures set forth in Paragraph 3, on or after the specified date, unless the nuisance is otherwise abated prior to said date. This notice shall be delivered at least five (5) days prior to the date on which the lawn grass may be cut by the Weed Commissioner. If such delivery is to be effected by mailing, an additional five (5) days time shall be allowed before the lawn grass may be cut. If the owner, occupant, or person in control fails to comply within five (5) days of such notice or ten (10) days in the case of mailing, the Weed Commissioner may cut the grass.

- (2) **Hearing.** If the owner, occupant, or person in control of such property believes that the lawn grass on such property is not a public nuisance within the meaning of this Section, he or she may request a hearing before the Village Board. The request for said hearing must be made in writing to the Village Clerk's office within five (5) days of the Weed Commissioner's notice, or ten days if such notice is delivered by mail. Along with the request for a hearing, the party so requesting must deposit a \$75.00 bond. If a decision is rendered in the requesting party's favor, the \$75.00 bond will be returned to said party. If the requesting party fails to appear for the hearing, or if the decision is rendered against the requesting party, the bond amount shall be forfeited. The hearing by the Village Board shall be held within seven (7) days of the date of the request therefor, and the property in question may not be mowed by the Village until such time as the hearing is held. At the hearing, the requesting party may appear in person or by his or her attorney, and may subpoena and present witnesses, and cross-examine any witnesses presented by the Village. At the close of the hearing, the Village Board shall, in writing, specify its findings and conclusions. If the Village Board determines that a public nuisance does exist, the owner, occupant or person in control of the property shall be allowed forty-eight (48) hours from the Village Board's written decision to abate such nuisance. If such person does not abate the nuisance within this time, the Weed Commissioner shall abate the nuisance in accordance with the procedures set forth in Paragraph (3).
- (3) **Abatement of Nuisance by Village.** If a public nuisance within the meaning of this Section exists and either (a) no party has requested a hearing by the date set forth in the Weed Commissioner's notice or (b) forty-eight (48) hours has elapsed since the Village Board released its written determination that a public nuisance exists, the Weed Commissioner shall abate the nuisance. The Weed Commissioner shall cut, or cause to be cut, all lawn grass on the subject property, and the expense of so doing shall be charged to the property owner at the rate established by Village Board resolution. The total amount charged to the property's owner shall also include the administrative expenses resulting from said nuisance abatement, and the costs of such additional work as may be necessary to adequately clear the property so that it can be safely cut. The Village Treasurer shall deliver a statement to the property's owner setting forth the total charge for the abatement and requesting payment within thirty (30) days time. If said charge is not paid in full within the allowed time, the outstanding amount shall be collected like other taxes upon real estate, or as provided under Sec. 3-5-1 of the Code of Ordinances.
- (g) **Penalty.** In addition to any other charges assessed under this Section, a citation for the violation of this Section may be issued pursuant to the procedures set forth in Title 1, Chapter 2 of this Code. Any person convicted of violating Section 8-1-4 shall forfeit not less than Fifty Dollars (\$50) nor more than One Hundred Dollars (\$100), together with the costs of prosecution. Any person convicted of violating Section 8-1-4 who has been convicted of violating this Section as a second offense shall forfeit not less than One Hundred Dollars (\$100) nor more than Two Hundred Dollars (\$200), together with the costs of prosecution. Any person convicted of violating Section 8-1-4 who has been convicted of violating this Section as a third offense shall forfeit not less than Two Hundred Dollars (\$200) nor more than Three Hundred Dollars (\$300), together with the costs of prosecution. Any person convicted of violating Section 8-1-4 who has been

convicted of violating this Section as a fourth or subsequent offense shall forfeit not less than Three Hundred Dollars (\$300) nor more than Four Hundred Dollars (\$400), together with the costs of prosecution. In default of payment of such forfeitures and costs, such person shall be subject to further order of the court pursuant to Chapter 800 of the Wisconsin Statutes.

SEC. 8-1-5 DISPOSAL OF HUMAN AND LIQUID WASTE REGULATED.

- (a) It shall be unlawful for any person, firm, or corporation to build, erect, maintain, occupy, or use any residence, place of business, or other building in congregate, or are employed, without providing for the use of such occupants adequate and properly maintained water closets and sinks conforming to the State Plumbing Code and local plumbing regulations.
- (b) The owner or agent of every building in the Town of Caledonia used for human habitation which abuts any street, alley, or way along which there is a sewer or water main or in a block through which a system of water works or sewage, or both extends or is within three hundred (300) feet of such a sewer or water main shall connect with said sewer all water closets, toilets, bathtubs, lavatories, sinks, urinals, and similar devices so that their contents will empty into such sewer, such connection to be made in accordance with the provisions of the State Plumbing Code and such additional local rules and regulations not inconsistent therewith. If any such owner or agent fails to comply for more than ten (10) days after notice in writing, the Town of Caledonia may cause connection to be made and the expense hereof shall be assessed as a special tax against the property. The owner may, within thirty (30) days after the completion of the work, file a written option with the Clerk of the Town of Caledonia stating that he cannot pay such amount in one (1) sum and asking that it be levied in not to exceed five (5) equal, annual installments; and the amount shall be so collected with interest at the rate of twelve percent (12%) per annum from the completion of the work, the unpaid balance to be a special tax lien.
- (c) The use of non-plumbing sanitation systems is restricted as follows:
 - (1) Composting toilet systems, incinerating toilets, and pit privies, as defined in ch. Comm 91.03, Wisconsin Administrative Code, are prohibited.
 - (2) Portable restrooms may be allowed for use at temporary construction sites and seasonal truck farming operations when an indoor plumbing system is not available on the premises. In addition, portable restrooms may be used for temporary special events to handle anticipated increase in wastewater flow above the design capacity of the private sewage system located at the site. The following applies to these uses:
 - a. If plumbing is installed or running water is supplied, excluding hose bibbs and wall hydrants, to a structure on the premises, an acceptable method of sewage disposal other than, or in addition to a non-plumbing sanitation system must be provided.
 - b. Any required private sewage system that serves the use cannot be downsized due to the use of a non-plumbing sanitation system.
 - c. The use must comply with the provisions of ch. Comm 91, Wisconsin Administrative Code, and associated regulations.
 - (3) Vault privies and portable restrooms will be allowed for parks, golf courses and recreational areas on a case-by-case basis. The following applies to these uses:

- a. A need must be established to show why it is not feasible to use another technology allowed by ch. Comm 83, Wisconsin Administrative Code, and this Section.
- b. If plumbing is installed or running water is supplied, excluding hose bibbs and wall hydrants, to a structure on the premises, an acceptable method of sewage disposal other than, or in addition to a non-plumbing sanitation system must be provided.
- c. Any required private sewage system that services the use cannot be downsized due to the use of a non-plumbing sanitation system.
- d. The use must comply with the provisions of ch. Comm 91, Wisconsin Administrative Code, and associated regulations.

SEC. 8-1-6 DISCHARGE OF UNPOLLUTED WATERS INTO SANITARY SEWERS.

It shall be unlawful for any person, firm, or corporation:

- (a) To discharge or cause to be discharged any unpolluted waters, such as storm water, groundwater, roof runoff, subsurface drainage, or cooling water to any sanitary sewer system within the Town of Caledonia.
- (b) To connect or permit to be connected any foundation drainage system to any sanitary sewer system within the Town of Caledonia.
- (c) To allow any sump pit or other means of storing foundation drainage to flow into any drain connected to any sanitary sewer system within the Town of Caledonia.

SEC. 8-1-7 DUMPING AND STORAGE OF RUBBISH.

- (a) The word “rubbish” as used in this Section is defined as waste refuse, including, but not limited to, tin, cans, used lumber, tree stumps and branches, lawn rakings, glass, waste, metals, garbage, ashes, junk, crockery, and similar waste products, refuse, and debris. The word rubbish is also specifically defined to include any used motor vehicle which has remained for more than two (2) weeks in a condition which would physically or legally prohibit its immediate operation upon the public highways. This shall include vehicles whose operation is legally prohibited because no current registration fee has been paid to the Motor Vehicle Department of the State of Wisconsin in accordance with the Wisconsin Statutes.
- (b) It shall be unlawful for any owner or any person in possession of any rubbish to dump or store or cause to be dumped or stored any rubbish upon any property within the Town of Caledonia, provided, however, the following shall not be prohibited:
 - (1) Storage of rubbish in receptacles incidental to normal use of property;
 - (2) Storage of motor vehicle within a garage complying with the building code of the Town of Caledonia;
 - (3) Storage of junk or salvage motor vehicles by a junk dealer or motor vehicle salvage dealer licensed under Title of this Code of Ordinances;
 - (4) Temporary storage, not to exceed sixty (60) days of damaged motor vehicles by motor vehicle dealers licensed under Sec. 218.01, Wis. Stats.

SEC. 8-1-8 PRIVATE WELL ABANDONMENT.

- (a) **Purpose.** The public interest requires that unused or improperly constructed wells be properly filled and sealed to prevent wells from serving as a passage for contaminated surface or near surface waters or other materials to the usable ground water.
- (b) **Abandonment Required.** Except as herein otherwise provided, any private well located within the Town of Caledonia in areas serviced by municipal water shall be properly abandoned within one hundred eighty (180) days from the date of connection to municipal water, in the following manner:
 - (1) Each well abandonment shall require a Plumbing Permit from the Town.
 - (2) Wells to be abandoned shall be filled and sealed according to the procedures outlined in Ch. NR 812.26, Wis. Adm. Code.
 - (3) The well filling shall be observed by a representative of the Town of Caledonia.
 - (4) A Well Abandonment Report form, obtained from the Caledonia Town Hall, shall be submitted by the well owner, within ten (10) days after the filing of the well, to the Department of Natural Resources and the Town Plumbing Inspector.
- (c) **Exceptions.** Those wells which are properly registered with the Town are exempt from the requirement of Subsection (b), provided the following provisions are complied with.
 - (1) The owner shall obtain, complete and submit a Well Registration form to the Caledonia Plumbing Inspector.
 - (2) The owner shall provide proof that the well produces bacteriologically safe water, as verified by one (1) certified laboratory test taken within six months of the application for the issuance or reissuance of a permit.
 - (3) A DNR licensed pump installer shall inspect the well and supply the Town with a report verifying that:
 - a. The well and pump installations meet the requirements of Ch. NR 812, Wis. Adm. Code.
 - b. The well has a functional pump system and no cross-connections exist between any private well system and the municipal water system.
 - (4) The owner shall secure a plumbing permit from the Plumbing Inspector and pay the appropriate fee required by Section 15-1-24.
 - (5) The owner shall demonstrate a need for the continued use of the well.
- (d) **Expiration.** A well registration exemption shall expire after five (5) years or upon sale or title transfer of the property; however, the new well owner shall be allowed one hundred eighty (180) days from the date of expiration of property sale or title transfer to re-register or abandon the well pursuant to this Section.
- (e) **Penalty.** Any person, firm or well owner violating any provision of this Section shall upon conviction be subject to a forfeiture of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00), together with the cost of prosecution. Each twenty-four (24) hour period during which a violation exists shall constitute a separate offense.