

AN ORDINANCE CREATING CHAPTER 4, "WELLHEAD PROTECTION ORDINANCE" UNDER TITLE 5 "LAND USE REGULATIONS" OF THE CODE OF ORDINANCE, VILLAGE OF ST. CLOUD, WISCONSIN.

The Village Board of the Village of St. Cloud do ordain as follows:

SECTION 1. CHAPTER 4 - UNDER TITLE 5 IS CREATED TO READ AS FOLLOWS:

- SECTION 5-4-1 TITLE OF CHAPTER
- SECTION 5-4-2 PURPOSE AND AUTHORITY
- SECTION 5-4-3 APPLICATIONS AND REGULATIONS
- SECTION 5-4-4 GROUND WATER PROTECTION DISTRICT
- SECTION 5-4-5 ENFORCEMENT AND PENALTIES

SECTION 5-4-1 TITLE OF CHAPTER

This Chapter shall be known, cited and referred to as the "Wellhead Protection Ordinance."

SECTION 5-4-2 PURPOSE AND AUTHORITY

The residents of the Village of St. Cloud depend exclusively on ground water for a safe drinking water supply. Certain land use practices and activities can seriously threaten or degrade ground water quality. The purpose of this Wellhead Protection Ordinance is to institute land use regulations and restrictions to protect the Village's municipal water supply and well system, and to promote the public health, safety, and general welfare of the residents of the Village of St. Cloud.

Statutory authority for the Village to enact these regulations was established by the Wisconsin Legislature in 1983, Wisconsin Act 410 (effective date May 11, 1984), which specifically added ground water protection to the statutory authorization for municipal planning and zoning to protect public health, safety, and welfare.

SECTION 5-4-3 APPLICATION OF REGULATIONS

The regulations specified in this Wellhead Protection Ordinance shall apply to all municipal wells within the Village of St. Cloud and to lands that lie within the wellhead protection areas of the municipal wells.

SECTION 5-4-4 GROUND WATER PROTECTION DISTRICT

A. INTENT. The area to be protected lies within a 1700 foot radius of well #2 and a 1200 foot radius of well #3, the wells serving St. Cloud.

B. PROHIBITED USES. Prohibited uses may be allowed provided the owner shall properly maintain such use and that such use demonstrates no potential threat to ground water supply. The following are prohibited uses within the ground water protection district:

1. On-site private sewage systems.
2. Underground storage tanks of any kind or size.
3. Pesticide and/or fertilizer storage and use.
4. Septage and/or sludge spreading.
5. Animal waste land spreading.
6. Animal waste facilities.
7. Vehicle repair establishments, including auto body repair.
8. Landfills or solid waste disposal facilities.
9. Junk yards or auto salvage yards.
10. Asphalt products manufacturing.
11. Salt storage.
12. Storm water infiltration basins (French drains).
13. Electroplating facilities.
14. Exterminating businesses.
15. Paint and coating manufacturing.
16. Hazardous and/or toxic material storage.
17. Toxic and hazardous waste facilities.
18. Radioactive material use or storage.

C. SEPARATION DISTANCES. ^{REF NR 811.12 (5) (d) SEE ON INTERNET} The well shall be adequately separated from potential sources of contamination. Unless a hydrogeologic investigation indicates lesser separation distances would provide adequate protection of a well from contamination, the minimum separation distances provided shall be:

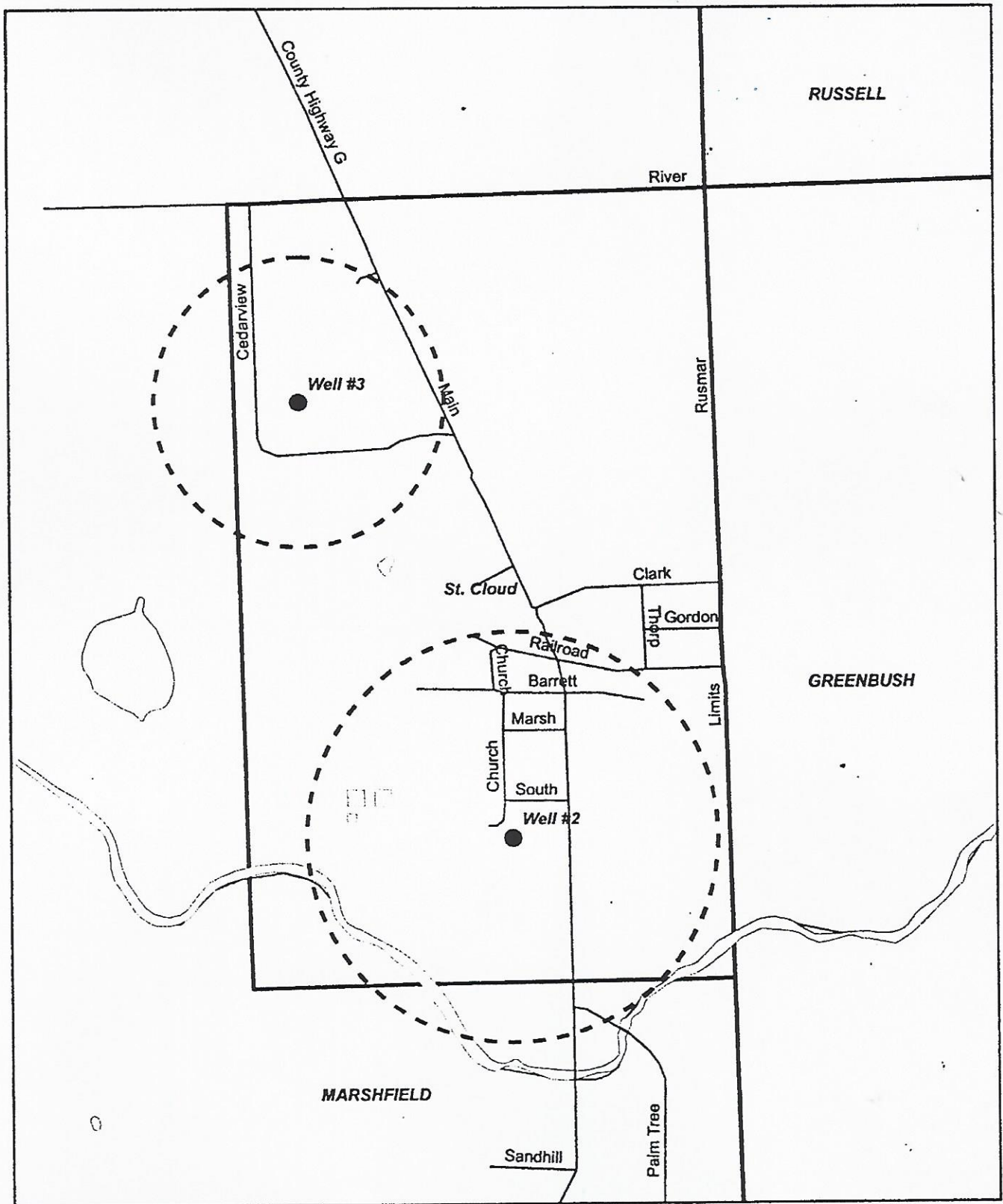
1. Fifty (50) feet between a well and a storm sewer main.
2. Two hundred (200) feet between a well and any sanitary sewer main, lift station or single family residential fuel oil tank. A lesser separation distance may be allowed for sanitary sewer mains where the sanitary sewer main is constructed of water main materials and joints and pressure tested in place to meet current AWWA 600 specifications. In no case may the separation distance between a well and a sanitary sewer main be less than 50 feet.
3. Four hundred (400) feet between a well and a septic tank receiving less than 8,000 gallons per day, a cemetery or a storm water drainage pond.
4. Six hundred (600) feet between a well and any gasoline or fuel oil storage tank installation that has received written approval from the Department of Industry, Labor and Human Relations or its designated agent under s.ILHR 10.10.
5. One thousand (1,000) feet between a well and land application of municipal, commercial or industrial waste; industrial, commercial or municipal waste water 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 (1,200) feet between a well and any solid waste storage, transportation, transfer, incineration, air curtain destructor, processing, wood burning, one-time disposal or small demolition facility; sanitary landfill; coal storage area; salt or de-icing material storage area, gasoline or fuel oil storage tanks that have not received written approval from the Department of Commerce or its designated agent under s.Comm 10.10; bulk fuel storage facilities; and pesticide or fertilizer handling or storage facilities.

SECTION 5-4-5 ENFORCEMENT AND PENALTIES

- A. VIOLATIONS. It shall be unlawful to construct or use any structure, land or water in violation of any of the provisions of this Chapter. In case of any violation, the Village Board, Plan Commission, Building Inspector, or any person who would specifically be damaged by such violation, may institute appropriate action or proceedings to enjoin a violation of this Chapter.
- B. PENALTIES. Any person, firm, or corporation who fails to comply with the provisions of this chapter shall upon conviction thereof, forfeit not less than one hundred dollars (\$100) nor more than two hundred dollars(\$200), plus the cost of prosecution for each violation, and in default of payment of such forfeiture and costs, shall be imprisoned in the County jail until payment thereof, but not to exceed 90 days, or in the alternative, shall have such costs added to their real property as a lien against the property. Each day a violation exists or continues shall constitute a separate offense.

SECTION 2. THIS ORDINANCE SHALL BE IN EFFECT FOLLOWING ADOPTION AND PUBLICATION.

Village of St. Cloud Wellhead Protection Areas



Legend

- St Cloud Wells
- - - St Cloud WHPA

