

AN ORDINANCE TO CREATE  
WELLHEAD PROTECTION  
WITHIN THE VILLAGE OF CAMBRIA, WISCONSIN

The Village Board of the Village of Cambria, Columbia County, Wisconsin, does hereby ordain as follows:

SECTION I: 10-1-51 of the CODE OF ORDINANCES OF THE VILLAGE OF CAMBRIA is hereby created to read as follows:

A. WELLHEAD PROTECTION

(1) CONSTRUCTION OF ORDINANCE

(a) TITLE – This chapter shall be known, cited and referred to as the “Wellhead Protection Ordinance” (hereafter WHP ORDINANCE).

(b) PURPOSE AND AUTHORITY

1. The residents of the Village of Cambria (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.
2. These regulations are established pursuant to the authority granted by the Wisconsin Legislature in 1983, Wisconsin Act 410 (effective May 11, 1984), which specifically added groundwater protection to the statutory authorization for municipal planning and zoning in order to protect the public health, safety and welfare.

(c) APPLICABILITY. The regulations specified in the WHP Ordinance shall apply within the Village limits.

(2) DEFINITIONS

(a) EXISTING FACILITIES WHICH MAY CAUSE OR THREATEN TO CAUSE ENVIRONMENTAL POLLUTION. Existing facilities which may cause or threaten to cause environmental pollution within the corporate limits of the Village of Cambria well fields’ recharge areas which include, but are not limited to, the Wisconsin Dept. of Natural Resources draft list of “Inventory of Sites or Facilities which may cause or threaten to cause Environmental Pollution”, the Wisconsin Dept. of Commerce’s (hereafter Commerce) list of Underground Storage Tanks (hereafter UST’s) and the Commerce lists of facilities with hazardous solid waste permits, all of which are incorporated herein as if fully set forth.

(b) GROUNDWATER DIVIDE- “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.

- (c) **WELLHEAD PROTECTION MANAGEMENT AREA (WPMA)**- “Wellhead Protection Management Area” means the area described within the Village’s wellhead protection plan. A copy of the Village’s wellhead protection plan can be obtained from the Village.
- (d) **RECHARGE AREA**- “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.
- (e) **TIME OF TRAVEL**- “Time of Travel” means the determined or estimated time required for a contaminate to move in the saturated zone from a specific point to a well.
- (f) **WELL FIELD**- “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.

(3) **WELLHEAD PROTECTION MANAGEMENT AREA (hereafter WPMA).**

- (a) **INTENT.** To be protected as a WPMA is that portion of the Village of Cambria’s Well #3 and Well #4 well recharge area contained within the Village’s boundary limits and shown in the wellhead protection plan. 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.
- (b) **PROHIBITED USES.** The following shall be maintained and shall not be exempted as listed in section (3) (f).
  - 1. Manure spreading
  - 2. Animal processing facility
  - 3. Road salt storage
  - 4. Junk yards and auto graveyards
  - 5. Wood preserving facility
  - 6. Fertilizer/Pesticide Storage/Production
- (c) **PERMITTED USES.** Subject to the exemptions listed in section (3)(f), the following are the only permitted uses within the WPMA. 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. Wildlife areas
  - 3. Non-motorized trails, such as biking, skiing, nature and fitness trails.
  - 4. Municipally sewered residential development, free of flammable and combustible liquid underground storage tanks.
  - 5. Agricultural uses in accordance with the county soil conservation department’s best management practices guidelines.
  - 6. Municipally sewered business development, except the following uses which can be subject to the exemptions listed in section (3)(f).
    - a. Above ground storage tanks.
    - b. Asphalt products manufacturing
    - c. Asbestos product sales.
    - d. Automotive service and repair garages, body shops and painting.
    - e. Cartage and express facilities.
    - f. Chemical storage, sale, processing, or manufacturing plants.
    - g. Dry cleaning establishments.
    - h. Electronic circuit assembly plants.
    - i. Electroplating plants.
    - j. Extermination shops.
    - k. Foundries and forge plants.
    - l. Industrial liquid waste storage areas.
    - m. Infiltration ponds.
    - n. Metal reduction and refinement plants.
    - o. Motor and machinery service and assembly shops.
    - p. Paint products manufacturing.
    - q. Petroleum product storage or processing.
    - r. Photographic studies including the development of film and pictures.

- s. Plastics manufacturing.
- t. Pulp and paper manufacturing.
- u. Storage, manufacturing, or disposal of toxic or hazardous materials.
- v. Underground petroleum products storage tanks for industrial, commercial, residential, or other uses.
- w. Woodworking and wood products manufacturing.

(d) **SEPARATION DISTANCES.** 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)(f).

The following distances shall apply for well #3 and #4:

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 successfully air pressure tested in place. In no case may the separation distance between a well and sanitary sewer main be less than fifty 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 Wis. Dept. 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 soils 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.

(e) **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 personnel and officials in the event of an emergency.

(f) **EXEMPTIONS AND WAIVERS**

1. Individuals and/or facilities may request the Village and The Community Development Authority, (CDA) in writing, to permit additional land uses in the WPMA.
2. All requests shall be in writing, whether on or in substantial compliance with forms to be provided by the Village and will 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.

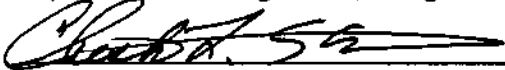
(4) ENFORCEMENT

- (a) In the event that an individual and/or facility causes the release of any contaminants which endanger the WPMA, 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 cleanup, including all of the following:
  1. Village consultant fees at the invoice amount plus administrative costs for oversight, review and documentation. The cost of Village employees' time associated in any way with the cleanup 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.
  2. The cost of Village equipment employed.
  3. The cost of mileage reimbursed to Village employees attributed to the cleanup.
- (c) Following any such discharge the Village may require additional test monitoring and/or bonds/securities.
- (d) Enforcement shall be provided pursuant to section 1, Chapter 2 of the CODE OF ORDINANCES. Penalties shall be assessed pursuant to 1-1-6 of the CODE OF ORDINANCES.
- (e) *see next page*

SECTION II. CONFLICT AND SEVERABILITY. Sections, 10-1-6, of the CODE OF ORDINANCES applies to this ordinance.

SECTION III. EFFECTIVE DATE. This ordinance shall take effect upon passage and posting as provided by law.

Adopted this 13 day of Aug., 2001.  
By order of the Village Board, Village of Cambria.



Chester L. Stringfield, Village President

Attested by:




Lois Frank, Clerk/Treasurer

Amendment added to Ordinance 10-1-51(A)(4)(e):

In order to certify that Cambria Village water quality and capacity will not be negatively affected by high capacity well projects, the Village shall require that studies and testing must be accomplished for ground water modeling, quality and capacity according to the Cambria Well Head Protection Plan. All land use changes that may have an impact on water table, quality and capacity must meet the Village of Cambria Well Head Protection Ordinance codes. All costs for testing, studies and reviews required by the Village must be paid by the applicant.

Signed this 23rd day of August, 2004.

  
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Gary Nehring, Village President

Attested by:

  
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Lois Frank, Clerk/Treasurer

This ordinance amendment takes effect after posting on August 24, 2004.