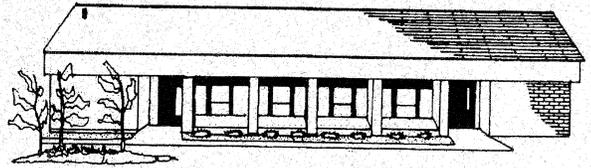


Rib Mountain Sanitary District

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RIB MOUNTAIN SANITARY DISTRICT Municipal Well Recharge Area and Restrictions.

Ordinance 5

(5.04) Declaration

The Commissioners of the Rib Mountain Sanitary District, Marathon County, Wisconsin, do ordain as follows:

(5.05) Purpose

The Rib Mountain Sanitary District recognizes that consequences of certain land use activities, whether intentional or accidental, can seriously impair groundwater quality. The purpose of the Municipal Well Recharge Area Overlay District (MW) is to protect municipal groundwater resources from certain land use activities by imposing appropriate restrictions upon lands located within the approximate groundwater recharge area of the Rib Mountain Sanitary District's municipal wells. The restrictions imposed herein are in addition to those of the underlying residential, commercial, or industrial zoning districts or any other provisions of the Town zoning ordinance.

(5.06) Overlay Zones

The Municipal Well Recharge Area Overlay District is hereby divided into Zone MW-A and Zone MW-B as follows:

- (a) Zone MW-A is identified as the primary source of water for the municipal well aquifer and as the area most likely to transmit groundwater contaminants to the municipal wells. Zone MW-A is more restrictive than Zone MW-B.
- (b) Zone MW-B is identified as a secondary source of water for the municipal well aquifer as an area where there is a lower probability of surface contaminants reaching the municipal well fields. Zone MW-B is less restrictive.

(5.07) Map

The locations and boundaries of the Well Recharge Area established by this Ordinance are set forth as the Wellhead Protection Area in the Sanitary District's most recent & up to date Wellhead Protection Plan and shown on the map titled "Wellhead Protection Area". The Wellhead Protection Plan is on file in the Sanitary District office and attached to this Ordinance as Figure 1.

(5.08) Zone MW-A Land Use Regulations

The following land use regulations are in addition to the land use regulations established by the base Zoning District(s) provided by the remainder of this Ordinance:

(a) Zone MW-A Prohibited Uses

The following land uses are hereby found to have a high potential to contaminate or have already caused groundwater contamination problems in Wisconsin and elsewhere. The following principal or accessory land uses are hereby prohibited with Zone MW-A of the Municipal Well Recharge Area Overlay District:

1. Agricultural uses modified to allow only hay fields or animal husbandry (i.e. grazing animals, on growing vegetation, with no supplemental feed, at up to three head per acre).
2. Agricultural use of pesticides, insecticides or fungicides.
3. Animal confinement areas
4. Areas for dumping or disposal of garage, refuse, trash or demolition materials.
5. Asphalt products manufacturing plants.
6. Automobile laundries and car washes
7. Automobile service stations
8. Building materials and products sales
9. Cartage and express facilities
10. Cemeteries
11. Chemical storage, sale, processing or manufacturing plants and bulk fertilizer and pesticide storage.

12. Commercial exterior storage of any objects containing petroleum or other hazardous fluids.
13. Dry cleaning establishments.
14. Electronic circuit assembly plants.
15. Electroplating plants.
16. Exterminating shop/businesses
17. Fertilizer manufacture plants
18. Foundries and forge plants
19. Garages for repair and servicing of motor vehicles, including body repair, painting or engine rebuilding
20. Highway salt storage areas
21. Industrial liquid waste storage areas
22. Intensive agriculture (i.e. locations of confinement of livestock at a density exceeding three head per acre)
23. Junk yards and auto graveyards.
24. Landfills
25. Metal reduction and refinement plants
26. Mining operations
27. Motor and machinery service and assembly shops
28. Motor freight terminals
29. Paint products manufacturing
30. Petroleum products storage of processing
31. Photography studios, including the developing of film and pictures
32. Plastics manufacturing
33. Printing and publishing establishments
34. Pulp and paper manufacturing
35. Recycling facilities
36. Residential dwelling units on lots less than 15,000 square feet in area. However, in any Residence District on a lot of record on the effective date of this ordinance, a single family dwelling may be established regardless of the size of the lot, provided all other requirements of the Rib Mountain Zoning Ordinance are complied with
37. Sewage disposal sites
38. Septic waste/Sewage sludge land-spreading
39. Sludge disposal sites
40. Storage, manufacturing or disposal of toxic or hazardous materials
41. Underground petroleum products storage tanks for industrial, commercial, residential or other uses
42. Unsewered residential, commercial or industrial development
43. Woodworking and wood products manufacturing
44. Solid waste disposal sites

(5.09) Zone MW-B Land Use Regulations

The following land use regulations are in addition to the land use regulations established by the remainder of this Ordinance

(a) Zone MW-B Prohibited Uses

The following principal or accessory uses are hereby prohibited within Zone MW-B of the Well Recharge Area:

1. Underground petroleum products storage tanks for industrial, commercial, residential or other uses.
2. Landfills
3. Intensive Agriculture

(5.10) Separation Distances

The following separation distances as specified in s. NR 811.12(5), Wis. Adm. Code, shall be maintained within the MW district.

- (a) Ten feet between a well and an emergency or standby power system that is operated by the same facility which operates the well and that has a double wall above ground storage tank with continuous electronic interstitial leakage monitoring. These facilities shall meet the installation requirements of s. ATCP 93.260 and receive written approval from the department of safety and professional services or its designated Local Program Operator under s. ATCP 93.110.
- (b) Fifty feet between a well and a storm sewer main or a sanitary sewer main where the sanitary sewer main is constructed of water main class materials and joints. Gravity sanitary sewers shall be successfully air pressure tested in place. The air pressure test shall meet or exceed the requirements of the 4 psi low pressure air test for plastic gravity sewer lines found in the latest edition of Standard Specifications for Sewer & Water Construction in Wisconsin. Force mains shall be successfully pressure tested with water to meet the AWWA C600 pressure and leakage testing requirements for one hour at 125% of the pump shut-off head.
- (c) Two hundred feet between a well field and any sanitary sewer main not constructed of water main class materials, sanitary sewer manhole, lift station, one or two family residential heating fuel oil underground storage tank or above ground storage tank or private onsite wastewater treatment system (POWTS) treatment tank or holding tank component and associated piping.

- (d) Three hundred feet between a well field and any farm underground storage tank system or other underground storage tank system with double wall and with electronic interstitial monitoring for the system, which means the tank and any piping connected to it. These installations shall meet the most restrictive installation requirements of s. ATCP 93.260 and receive written approval from the department of safety and professional services or its designated Local Program Operator under s. ATCP 93.110, Wis. Admin. Code. These requirements apply to tanks containing gasoline, diesel, bio-diesel, ethanol, other alternative fuel, fuel oil, petroleum product, motor fuel, burner fuel, lubricant, waste oil, or hazardous substances.
- (e) Three hundred feet between a well field and any farm above ground storage tank with double wall, or single wall tank with other secondary containment and under a canopy; other above ground storage tank system with double wall, or single wall tank with secondary containment and under a canopy and with electronic interstitial monitoring for a double wall tank or electronic leakage monitoring for a single wall tank secondary containment structure. These installations shall meet the most restrictive installation requirements of s. ATCP 93.260, Wis. Admin. Code, and receive written approval from the department of commerce or its designated Local Program Operator under s. ATCP 93.110, Wis. Admin. Code. These requirements apply to tanks containing gasoline, diesel, bio-diesel, ethanol, other alternative fuel, fuel oil, petroleum product, motor fuel, burner fuel, lubricant, waste oil, or hazardous substances.
- (f) Four hundred feet between a well field and a POWTS dispersal component with a design capacity of less than 12,000 gallons per day, a cemetery or a storm water retention or detention pond.
- (g) Six hundred feet between a well field and any farm underground storage tank system or other underground storage tank system with double wall and with electronic interstitial monitoring for the system, which means the tank and any piping connected to it; any farm above ground storage tank with double wall, or single wall tank with other secondary containment and under a canopy or other above ground storage tank system with double wall, or single wall tank with secondary containment and under a canopy; and with electronic interstitial monitoring for a double wall tank or electronic leakage monitoring for a single wall tank secondary containment structure. These installations shall meet the standard double wall tank or single wall tank secondary containment installation requirements of s. ATCP 93.260 and receive written approval from the department of safety and professional services or its designated Local Program Operator under s. ATCP 93.110. These requirements apply to tanks containing gasoline, diesel, bio-diesel, ethanol, other alternative fuel, fuel oil, petroleum product, motor fuel, burner fuel, lubricant, waste oil, or hazardous substances.

- (h) One thousand feet between a well field and land application of municipal, commercial, or industrial waste; the boundaries of a land spreading facility for spreading of petroleum-contaminated soil regulated under state administrative regulations while that facility is in operation; agricultural, industrial, commercial or municipal waste water treatment plant treatment units, lagoons, or storage structures; manure stacks or storage structures; or POWTS dispersal component with a design capacity of 12,000 gallons per day or more.
- (i) Twelve hundred feet between a well field and any solid waste storage, transportation, transfer, incineration, air curtain destructor, processing, wood burning, one time disposal or small demolition facility; sanitary landfill; any property with residual groundwater contamination that exceeds ch. NR 140 enforcement standards; coal storage area; salt or deicing material storage area; any single wall farm underground storage tank or single wall farm above ground storage tank or other single wall underground storage tank or above ground storage tank that has or has not received written approval from the department of safety and professional services or its designated Local Program Operator under s. ATCP 93.110, Wis. Admin. Code, for a single wall tank installation. These requirements apply to tanks containing gasoline, diesel, bio-diesel, ethanol, other alternative fuel, fuel oil, petroleum product, motor fuel, burner fuel, lubricant, waste oil, or hazardous substances; and bulk pesticide or fertilizer handling or storage facilities.

(5.11) Additional Land Use Regulations for Both MW-A and MW-B

1. All above ground petroleum product storage tanks shall provide leak proof containment equal to 125% of the tank volume.
2. Pesticide, insecticide and fungicide storage is permitted for “on farm” use by the owner or farm operator only.
3. Bulk liquid pesticide, insecticide, fungicide, or fertilizer storage in excess of 55 gallons is prohibited except in containment areas not less than 125% of the volume of the largest container. Short term storage, i.e. one week or less, is permitted in ICC approved transport containers.
4. Animal waste, septic, and sewer sludge shall not be applied at rates which exceed the nutrient requirements of the crop growing on the application site. Application of these materials to frozen or snow covered ground is prohibited.

5. All commercial and industrial uses are allowed a maximum of 50% of the lot area to be maintained in manicured lawn or grass. However, the area of the lot in manicured lawn or grass shall not exceed the area of impervious surfaces on the lot.
6. Unsewered residential uses with a minimum lot size shall be two (2) acres, except for existing lots of record on the effective date of this Ordinance, and developments that will be served by municipal sewer within five years of the approval of the development. Lots smaller than acres may be approved, provided that sufficient land area will be maintained in an undeveloped state such that no more than one residence is allowed for each two acres of the overall development.
7. The use of drywells or other subsurface drains for storm-water drain is prohibited.

(5.12) Exemptions

Any exemptions granted will be made conditional and may include environmental and/or safety monitoring which indicates whether the facility may be emitting any releases or harmful contaminants to the surrounding environment. The facility will be held financially responsible for all environmental cleanup costs. The Rib Mountain Sanitary District may require that a bond be posted for future monitoring and cleanup costs if deemed necessary at the time of granting an exemption.

- (a) The applicant shall be solely and exclusively responsible for any and all costs associated with the application, including all of the following:
 1. The cost of an environmental impact study if so required by the Rib Mountain Sanitary District or its designee.
 2. The cost of groundwater monitoring or groundwater wells if required by the Rib Mountain Sanitary District or its designee.
 3. The costs of an appraisal for the property or other property evaluation expense if required by the Rib Mountain Sanitary District or its designee.
 4. The costs of Rib Mountain Sanitary District employee's time associated in any way with the application based on the hourly rate paid to the employee multiplied by a factor, determined by the sanitary district, representing the sanitary district's costs for expenses, benefits, insurance, sick leave, holidays, overtime, vacation and other similar benefits.
 5. The cost of sanitary district equipment employed.
 6. The cost of mileage reimbursed to the sanitary district employees.

(5.13) Enforcement

PENALTIES: Any person, firm or corporation who fails to comply with the provisions of this Subsection shall upon conviction thereof, forfeit not less than One Hundred (\$100.00) Dollars nor more than Five Hundred (\$500.00) Dollars, plus the costs 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 exceeding 30 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.

ATTEST:

Bill Miller
Bill Miller, Secretary 12/19/18

APPROVED:

Edwin Abendroth
Ed Abendroth, President 12/19/18

ADOPTED:
APPROVED:
PUBLISHED:

(5.13) Map of Recharge Areas – Figure 1

