



Legislation Details (With Text)

File #: 15220 **Version:** 1 **Name:** Well abandonment rebate
Type: Ordinance **Status:** Passed
File created: 6/26/2009 **In control:** BOARD OF ESTIMATES (ended 4/2017)
On agenda: 8/4/2009 **Final action:** 8/4/2009
Enactment date: 8/20/2009 **Enactment #:** ORD-09-00124

Title: Amending Section 13.21(1), creating Section 13.21(9) and renumbering current Sections 13.21(9) and (10) of the Madison General Ordinances to create a well abandonment rebate of fifty percent (50%) of the cost of abandoning private wells up to one thousand dollars (\$1,000), and amending Section 35.025(1) of the Madison General Ordinances to provide for funding of this rebate through the landfill remediation fee.

Sponsors: Lauren Cnare, Michael Schumacher, Satya V. Rhodes-Conway

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
8/4/2009	1	COMMON COUNCIL	Adopt	Pass
7/28/2009	1	WATER UTILITY BOARD	Return to Lead with the Recommendation for Approval	Pass
7/27/2009	1	BOARD OF ESTIMATES (ended 4/2017)	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
7/20/2009	1	COMMITTEE ON THE ENVIRONMENT (ended 6/2020)	Return to Lead with the Recommendation for Approval	Pass
7/7/2009	1	BOARD OF ESTIMATES (ended 4/2017)	Refer	
7/7/2009	1	BOARD OF ESTIMATES (ended 4/2017)	Refer	
7/7/2009	1	COMMON COUNCIL	Referred	
6/26/2009	1	Attorney's Office/Approval Group	Referred for Introduction	

Fiscal Note

This ordinance change allows the City of Madison to issue rebates of 50% of the cost, up to \$1,000, for abandoning private wells within the City or the Madison Water Utility's service area. A private well abandonment rebate program is anticipated to be created and implemented beginning in 2010. The 2010 Landfill Operating Budget request will include expenditure authority for the rebate portion of the program, to be funded using Landfill Remediation fees. Other program costs (e.g. administration) will be included in the 2010 Water Utility Operating Budget.

Title

Amending Section 13.21(1), creating Section 13.21(9) and renumbering current Sections 13.21(9) and (10) of the Madison General Ordinances to create a well abandonment rebate of fifty percent (50%) of the cost of abandoning private wells up to one thousand dollars (\$1,000), and amending Section 35.025(1) of the Madison General Ordinances to provide for funding of this rebate through the landfill remediation fee.

Body

DRAFTER'S ANALYSIS: This Ordinance amends Sec. 13.21(1) of the Madison General Ordinances, renumbers Secs. 13.21(9) and (10), and creates a new Sec. 13.21(9) that creates a well abandonment rebate

of up to fifty percent (50%) of the cost, up to one thousand dollars (\$1,000), of abandoning private wells located in the City of Madison and the Madison Water Utility service area. The funding of this rebate is being provided for through the landfill remediation fees, and is established through cross-references in the newly created Sec. 13.21(9) and the amendments also being made to Sec. 35.025. Due to the hazard improperly abandoned wells pose to the groundwater quality, their impacts have similar qualities to landfills. Therefore, all residents of the City of Madison and customers of the Madison Water Utility benefit by the proper abandonment of these wells as required by Sec. 13.21. By providing a rebate for property owners to abandon private wells, it is hoped that more private wells will be properly abandoned and the negative effects on the groundwater quality from these wells will be significantly lessened. This rebate program is consistent with the grant program set forth in Dane County Ordinance Sec. 46.42 which provides for a grant for private well abandonment of seventy-five percent (75%) of the costs of abandonment, up to three hundred and fifty dollars (\$350), for all properties located in Dane County, except for properties located in the City of Madison. In the event Dane County changes the rebate procedures to cover properties located in the City of Madison, the newly created City rebate procedure will not change, although the City rebate would be reduced if the combined City rebate and County grant were greater than the actual cost of abandonment. This ordinance will be effective January 1, 2010.

The Common Council of the City of Madison do hereby ordain as follows:

1. Subsection (1) entitled "Purpose" of Section 13.21 entitled "Well Abandonment" of the Madison General Ordinances is amended by amending or adding therein the following:

"(1) Purpose. To prevent contamination of groundwater and to protect public health, safety and welfare by assuring that unused, unsafe or noncomplying wells, wells which may serve as conduits for contamination or wells which may be illegally cross-connected to the Madison Water Utility are properly abandoned. Improperly abandoned wells represent potential direct pathways for groundwater contamination to enter the municipal drinking water supply.

2. New Subsection (9) entitled "Well Abandonment Rebate" of Section 13.21 entitled "Well Abandonment" of the Madison General Ordinances is created to read as follows:

"(9) Well Abandonment Rebate. Upon the proper abandonment of a well pursuant to this section, the City Engineer, in consultation with the Water Utility General Manager and the Public Health Director, is authorized to issue a rebate to the owner of a property located in the City of Madison or that is served by the Madison Water Utility of up to fifty percent (50%) of the cost to the owner of the abandonment of the well, up to a maximum rebate of one thousand dollars (\$1000.00). In determining the amount of the rebate, any contributions made by Dane County under Dane County Ordinance 46.42 shall not be considered, provided that the rebate issued by the City under this Subsection, when combined with any contribution made by Dane County, shall not exceed the total cost to the owner of abandoning the well. No rebate shall be issued to the owner of a property against whom the City has either issued a citation or made a written referral to the City Attorney for non-compliance with the requirements of this section. Rebates issued under this subsection shall be funded out of the landfill remediation fee as set forth in Section 32.025 of the Madison General Ordinances."

3. Current Subsections (9) and (10) of Section 13.21 entitled "Well Abandonment" of the Madison General Ordinances are renumbered to Subsections (10) and (11).

4. Subsection (1) of Section 35.025 entitled "Landfill Remediation" of the Madison General Ordinances is amended by amending or adding therein the following:

"(1) It is hereby determined and declared to be desirable and necessary for the protection of the public health, safety and welfare to remedy the release of organic and inorganic substances from solid waste landfills operated by the City, and to encourage the proper abandonment of private drinking water wells. Said releases are potentially detrimental to the air and groundwater, and if allowed to concentrate, may be toxic, combustible or explosive. Improperly abandoned wells represent potential direct pathways for groundwater contamination to enter the municipal drinking water supply. In order to finance the environmental remediation of ~~these sites~~ solid waste landfills operated by the City and to encourage the proper abandonment of private drinking water wells located in the City of Madison or on properties served by the Madison Water Utility, there shall be established a charge upon all lots, lands and premises served or benefited by the sanitary sewerage system of the City of Madison, also

referred to as “The Madison Sewer Utility,” a public utility within the purview of Section 66.0801, Wisconsin Statutes.

5. This ordinance shall become effective January 1, 2010.”