

Ordinance No.

A Resolution Enacting A Madison County Potable Water Supply Ordinance

WHEREAS, the Madison County Health Department was established in accordance with Illinois State statute, 55 ILCS 5/5 as amended; and,

WHEREAS, local health departments are subject to the provisions of 77 Illinois Administrative Code, Part 615; and,

WHEREAS, said Administrative Code requires local health departments to establish a program to assure provision of safe, potable supplies of water for drinking, culinary, and sanitary purposes and,

WHEREAS, it is the desire of the Madison County Board of Health to protect the citizens within its jurisdiction from transmitting or contracting waterborne disease;

NOW THEREFORE, BE IT RESOLVED by the Madison County Board of Health that the following ordinance defining, permitting and regulating water supplies, the construction and modification of water wells, the sealing of abandoned wells, and the inspection of private water supplies and components within the county townships served by the Madison County Health Department be hereby adopted.

GENERAL PROVISIONS

Sect. 01 Adoption By Reference - In addition to those provisions set forth herein, this Ordinance hereby adopts by reference the current edition and subsequent revisions of the following Illinois Department of Public Health codes:

- a. "Illinois Water Well Construction Code." 415 ILCS 30/1-30/9
- b. "Illinois Water Well Pump Installation Code." 415 ILCS 35/1-35/10
- c. "Public Area Sanitary Practice Code." 20 ILCS 2305/2-2305/8.1
- d. "Drinking Water Systems Code." 77 III. Adm. Code 900
- e. "Surface Water Treatment Code." 77 III. Adm. Code 930

Sect. 02 Definitions

Abandoned Well - shall mean a water or monitoring well which is no longer used to supply water, or which is in such a state of disrepair that the well or boring has the potential for transmitting contamination into an aquifer or otherwise threatens the public health or safety.

Aquifer - shall mean a water bearing formation that transmits water in sufficient quantity to supply a well.

Certified Laboratory - shall mean a clinical laboratory given certification approval by the Illinois Department of Public Health Division of Laboratories for the processing of official samples of water.

Cistern - shall mean a source of water supply developed by intercepting rainfall with roof surfaces.

Community Water System - shall mean a public water system which serves at least fifteen (15) service connections used by residents, or regularly serves twenty-five (25) or more residents for at least sixty (60) days a year and is regulated by the Illinois Environmental Protection Agency.

County - shall mean the county of Madison, State of Illinois.

Health Department - shall mean the Madison County Health Department.

Health Officer - shall mean the Administrator of the Madison County Health Department or his authorized representative.

Monitoring Well - shall mean a water well intended for the purpose of determining groundwater quality or quantity.

Non-Community Water System - shall mean a public water system which is not a community water system, and has at least fifteen (15) service connections used by non-residents, or regularly serves twenty-five (25) or more non-resident individuals daily for at least sixty (60) days per year.

Potable Water - shall mean water that is suitable for human consumption and meets public health standards for drinking water.

Semi-Private Water System - shall mean a water supply which is not a public water system, yet which serves a segment of the public other than an owner-occupied single family dwelling.

Surface Source - shall mean a supply of water which is taken from a reservoir (e.g., pond, lake, or stream).

Water Well - shall mean a excavation that is drilled, cored, bored, washed, driven, dug, jetted or otherwise constructed when the intended use is for the location, diversion, artificial re-charge, or acquisition of groundwater.

Sect. 10 Public Water Supply Use

In those locations where a community water system is reasonably available, that supply should be the sole source of water for drinking and culinary purposes. Reasonably available shall mean the subject property is located within 200 feet of the community water system to which connection is practical and is permitted by the controlling authority for said water supply.

Sect. 20 Potable Water Supply Required

All premises intended for human habitation or occupancy shall be provided with a potable water supply. Each potable water supply shall provide quantities of water that are sufficient for the drinking, culinary, and sanitary needs of the dwelling or premises served. A minimum system pressure of 20 pounds per square inch shall be maintained throughout each potable water supply.

Sect. 21 Surface Water Systems

All water systems which receive their source of water from ponds, lakes, streams, rivers or other surface collections of water shall be designed, constructed, and operated in accordance with the "Surface Water Treatment Code" 77 Ill. Adm. Code 930.

Sect. 22 Cisterns

Cisterns shall not be used as a potable water supply except where adequate groundwater resources are not available. Cistern water shall receive treatment in accordance with the "Surface Water Treatment Code." Abandoned cisterns shall be filled with an impermeable material such as clay.

Sect. 30 Abandoned Wells

Wells that are abandoned shall be sealed in a manner prescribed by the Health Department and the "Illinois Water Well Construction Code." The sealing of all abandoned wells shall be inspected by the Health Official to determine compliance with this Ordinance.

Sect. 40 Permit Required

All applications for permits shall be in writing and in such form as prescribed by the Health Department. Sufficient data shall be included to determine whether the proposed application for permit meets the requirements of this Ordinance.

- a. No water well shall be constructed or deepened except in accordance with this Ordinance, and it shall be unlawful to proceed with such work unless a permit has first been obtained from the Health Department.
- b. A non-community water system shall not be constructed without first obtaining a permit from the Illinois Department of Public Health.

The requirement for permits in this Ordinance shall not be applicable to wells intended to serve a community water system, or to function as a monitoring well.

Sect. 41 Permit Fees

There shall be a non-refundable fee of \$100.00 charged for each water well permit. The fee shall be collected at the time of making application and deposited into the Health Department Fund.

Sect. 42 Permit Issuance

It shall be the responsibility of the property owner to obtain a permit before any construction or deepening of a water well commences. Failure of the property owner to obtain a permit before commencement shall constitute a violation of this Ordinance. It shall be the responsibility of the Water Well Contractor to insure that a permit has been issued before any construction or deepening of a water well commences and to follow the conditions of said permit. Failure of the Water Well Contractor to insure said permit has been issued and violation of the conditions of said permit shall constitute separate and distinct violations of this Ordinance.

Sect. 50 Licensing of Water Well Contractors and Pump Installers

All individuals who construct water wells and install or repair well pumps shall be licensed with the Illinois Department of Public Health in accordance with the "Water Well and Pump Installation Contractor's License Act," Chapter III, Paragraph 7101 et seq., as revised.

Sect. 60 Well Inspections

The Health Department shall be notified at least 48 hours prior to the commencement of any work to construct or deepen a water well for which a permit has been issued, or to seal a water well, boring, or monitoring well. The Health Officer shall be allowed access to any property for the purpose of performing inspection of water well construction or to inspect the sealing of wells or to investigate abandoned wells. It shall be the responsibility of the Water Well Contractor to notify the Health Department as required.

Sect. 70 Enforcement

Upon inspection by the Health Officer, if it is found that any provisions of this Ordinance or any permit specification has been violated, the Health Department shall notify the installer to make such specified changes in the work as necessary for compliance with this Ordinance and said permit.

If such changes are not made within the period of time specified by the Health Department, said permit shall be suspended and it shall be unlawful to place the water well into operation.

Sect. 80 Disinfection and Analysis

Owners of newly constructed wells or other types of water sources which supply a semi-private water system shall have the water from the semi-private water system analyzed by a certified laboratory prior to utilizing the water system for drinking and culinary purposes. A copy of the analysis report shall be filed with the Health Department. Water obtained from a surface source or a water well shall meet the nitrate, turbidity, and bacteriological requirements contained in the "Drinking Water Systems Code" 77 Ill. Adm. Code 930.

Sect. 90 Penalties

Any permit holder who violates the provisions of this Ordinance or any of the regulations promulgated hereunder, shall be subject to prosecution for an offense for each and every day on

which the violation continues and each day that the offense continues shall constitute a separate offense. The permit holder shall be subject to a fine of not more than \$500.00 for each offense.

Sect. 100 Severability

If any provision of this Ordinance is declared unconstitutional or invalid by a Court of competent jurisdiction, that decision shall not affect the validity of the remainder of the Ordinance.

PASSED AND ADOPTED by the Madison County Board of Health this ___ day of _____, 1996.

Nelson Hagnauer, Chairman
Madison County Board

Attest: _____
Debbie Saltich, County Clerk

Respectfully submitted,

Approved As To Form:

Health Department Committee

William R. Haine, States Attorney
Madison County