

CHAPTER 147

WELLS

147.01 Purpose
147.02 Wells Prohibited
147.03 Special Exception
147.04 Existing Wells

147.05 Revocation of Special Exception
147.06 Registration of Existing Wells
147.07 Violation; Penalty

147.01 PURPOSE. The purpose of this chapter is to protect the public health, safety and welfare and assure an adequate and safe water supply to the residents of the City by prohibiting the construction of private wells within the corporate City limits that could become points of entry of pollutants into the City's water supply or otherwise interfere with the municipal water system.

147.02 WELLS PROHIBITED. No person shall construct a well of any type within the corporate City limits.

147.03 SPECIAL EXCEPTION. The Council may, upon written application to the City, grant a special exception to the prohibition set forth in Section 147.02 upon such conditions and limitations as the Council, in its sole discretion, may prescribe. The City shall be under no obligation to grant any special exceptions whatsoever. The City's authority to grant such special exceptions shall include the authority to set appropriate fees for administration, oversight and monitoring as the Council deems appropriate.

147.04 EXISTING WELLS. Any private well that may exist within the City limits as of the date of the adoption of the 2002 Code of Ordinances of the City is deemed to hold a special exception permit.

147.05 REVOCATION OF SPECIAL EXCEPTION. The City may revoke any special exception permit at any time upon reasonable notice to the owner, if the City should determine that the private well constitutes an unreasonable hazard of threat to the municipal water supply or source.

147.06 REGISTRATION OF EXISTING WELLS. The owner of any existing private well shall register the existence of the well with the City. Failure to register any such well will cause the special exception permit granted in this chapter to existing wells to be rescinded automatically.

147.07 VIOLATION; PENALTY. Any person who constructs, operates, maintains or uses a private well within the corporate City limits in violation of

this chapter shall be in violation of this Code of Ordinances and may be cited for a municipal infraction. Each day in which any such violation continues shall be deemed a separate offense. The City may also seek alternative relief which may include, but not be limited to, abatement, injunctive relief or collection for correction costs.