BUREAU COUNTY HEALTH ORDINANCE
CHAPTER 3
WATER SUPPLIES ORDINANCE

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SECTION 1: SCOPE

An ordinance regulating water supplies, the construction and modification of water wells, the sealing of abandoned water wells, and the inspection of water supplies and their components within Bureau County, Illinois.

Whereas the Board of Health of the Bureau County Department of Public Health has deemed it necessary and desirable to regulate water supplies for health purposes and ground water protection and accordingly has recommended adoption of the following Ordinance.

SECTION 2: DEFINITIONS

The following definitions shall apply in the interpretation and enforcement of this Ordinance:

CLOSED-LOOP WELL shall mean a sealed, watertight loop of pipe buried outside of a building foundation which is intended to recirculate a liquid solution through a heat exchanger.

HEALTH AUTHORITY shall mean the Administrator or Health Officer of the Bureau County Health Department or their designee

HEALTH DEPARTMENT shall mean the Bureau County Health Department and agency of the Bureau County Board of Health.

MONITORING WELL shall mean a water well intended for the purpose of determining groundwater quality or quantity.

NON-COMMUNITY WATER SUPPLY means a public water system, which is not a community water system, and has at least 15 service connections used by nonresidents, or regularly serves 25 or more nonresident individuals daily for at least 60 days per year.

POTABLE WATER shall mean water that is suitable for human consumption and which meets Public health standards for drinking water.

PRIVATE WATER SUPPLY shall mean a water supply, which serves an owner-occupied single family residence or dwelling.

PUBLIC WATER SUPPLY shall mean a public water supply, which has at least 15 service connections used by permanent residents, or regularly serves 25 or more permanent residents daily for at least 60 days a year.

SEMI-PRIVATE WATER SUPPLY shall mean a water supply, which is not a public water supply or non-community water system, yet which serves a segment of the public other than an owner-occupied single family dwelling.

SUBDIVISION for the purposes of this Ordinance shall mean the division of land into two (2) or More lots, sites, or parcels, any of which is less than five (5) acres in area with those exceptions listed in the Bureau County Zoning Ordinance, Section 2.37, 1-9.

SECTION 3: ADOPTION BY REFERENCE

In addition to those provisions set forth, this Ordinance shall be interpreted and enforced in accordance with provisions set forth in the following statutes, rules, and regulations of the State of Illinois, Department of Public Health and any subsequent amendments or revisions thereto and the *Bureau County Zoning Ordinance*, which publications are incorporated herein and adopted by reference as part of this Ordinance, including:

1. "Illinois Water Well Construction Code"
2. "Illinois Water Well Pump Installation Code"
3. "Public Area Sanitary Practice Code"
4. "Drinking Water Systems Code"
5. "Illinois Groundwater Protection Act"
6. "Surface Source Water Treatment Code"
7. "Bureau County Zoning Ordinance", Section 2.37, 1-9, "instances where no plat is required".

Two copies of each of the above rules and regulations shall be on file in the office of the Bureau County Clerk.

SECTION 4: PUBLIC WATER SUPPLY USE

In those locations where a public water supply is reasonably available, that supply shall be the sole source of water for human consumption and culinary purposes. A public water supply shall be deemed reasonably available when the subject property is located within two hundred (200) feet of an existing public water supply to which connection is practical and is permitted by the controlling authority for said water supply.

SECTION 5: WATER WELL SUPPLY SYSTEM REQUIREMENTS

5.1 Potable Water Supply Required

All premises intended for human habitation or occupancy shall be provided with a potable water supply. The potable water supply shall not be connected to a non-potable water source and shall be protected against back-flow and back siphonage. Each potable water supply shall provide quantities of water and pressure to adequately serve all plumbing fixtures therein. Sufficient supply, pressure and back-flow, backsiphonage protection shall be defined as specified in the *Illinois Plumbing Code* (77 Ill Adm. Code 890).

5.2 Surface Source Water Supplies

All water systems which receive their source of water from ponds, lakes, streams, rivers or other surface collectors of water shall be designed, constructed, and operated in accordance with the "Surface Source Water Treatment Code". No surface water shall be utilized as a potable water supply unless the Health Authority has reviewed and approved the supply and its components.

5.3 Cisterns

Cisterns shall not be used as a potable water supply.

5.4 Pre-existing Water Wells

All water wells constructed prior to the effective date of this Ordinance shall comply with the provisions of this Ordinance deemed necessary by the Health Authority to protect groundwater and the public health. The owner shall maintain all wells and pumps in a safe condition.

5.5 Abandoned Wells

Wells that are abandoned shall be sealed in a manner prescribed by the Health Authority and the "Illinois Water Well Construction Code". The Health Authority shall inspect abandoned wells, which have been sealed to determine compliance with the Ordinance. In questionable cases, the Health Authority shall make the determination as to whether a water well is considered abandoned, based upon the definition of an "abandoned well" and the facts in each particular case.

SECTION 6: PERMIT REQUIRED

No water well or monitoring well shall be constructed, deepened, modified or sealed in Bureau County except in accordance with this Ordinance. It shall be unlawful to proceed with such work without first obtaining a permit from the Health Authority.

6.1: Application For Permit

All applications for permits granted under the provisions of this Ordinance shall be made in writing and on such forms as prescribed by the Health Authority. Sufficient data shall be included to allow review and to determine whether the proposed application for permit meets the requirements of this Ordinance.

6.2: Issuance of Permit

Upon submission of the application for permit, including the plans and specifications for the proposed water well or component thereof, the Health Authority shall review said application prior to issuance of a permit. The Health Authority may require additional information, which may include determining the location of private sewage disposal systems and/or water wells on adjacent properties. It shall be the responsibility of the applicant to obtain all necessary data and to design a system, which shall meet the requirements of this Ordinance. If the Health Authority, upon review of said application, finds that such application meets the requirements of this Ordinance, and upon payment of the required fee, a permit shall be issued to the applicant.

6.3: Water Well and/or Pump Installation Contractors Responsibility

6.3(a) It shall be the responsibility of the Water Well and/or Pump Installation Contractor to obtain a permit before any construction, deepening or sealing of a water well, or monitoring well is begun. Failure of the Water Well and/or Pump Installation Contractor to obtain a permit before construction, deepening or sealing is begun or to comply with the conditions of said permit shall constitute a violation of this Ordinance, and penalty action may be taken.

6.4 Property Owner's Responsibility

It shall be the responsibility of the Property Owner to insure that a permit has been issued before any construction deepening, or sealing of a water well is begun. Failure of the Property Owner to insure said permit has been issued shall constitute a violation of this Ordinance, and penalty action may be taken.

6.5: Permit Validity

A permit to construct, deepen or seal a water, monitoring well or closed-loop well is valid for a period of twelve (12) months from the date of issuance. If construction or sealing has not started within this period, the permit is void.

6.6: Permit Fee

The permit fee for constructing, deepening or modifying a water well shall be equal to the permit fee, as stated in the *IL Water Well Construction Code* and shall accompany each application to construct, deepen or modify a water well. The fee for constructing, deepening or modifying a monitoring well shall be received prior to issuing a permit or conducting said work. The appropriate well sealing permit fee shall be received prior to sealing any well(s), according to Section 7.1 of this Ordinance. See schedule 1 for fees.

6.7: Exceptions

A permit to construct or deepen a water well in Bureau County shall not be required by the Health Authority when such water well does or will serve a community water system. A permit to seal a water well or monitoring well in Bureau County shall not be required by the Health Authority where a well is sealed by a licensed Water Well Driller at the same location and within thirty (30) days of the construction of a new well that has been permitted by the Health Authority.

SECTION 7: INSPECTIONS

The Health Authority shall have the authority to enter any property at any reasonable time for inspection purposes to determine compliance with the provisions of this Ordinance. It shall be the duty of the owner or occupant of a property to allow the Health Authority free access to the property for inspection purposes to determine compliance with the provisions of this Ordinance.

7.1: Inspection of Completed Work

A water well, monitoring well or closed-loop well shall not be placed into operation until the installation of the well and its components have been inspected to verify compliance with applicable provisions of this Ordinance and written approval issued by the Health Authority. To the degree practical and permitted by the Health Authority, the completed installation shall remain uncovered and/or accessible for inspection purposes until approved by the Health Authority. If the Health Authority, upon inspection of the specified installation or component thereof, finds that such work meets the provisions of this Ordinance, the Health Authority shall approve such work, complete the permit form, and authorize operation of the water well. However, compliance with Section 8 shall be obtained prior to utilizing the water system for drinking and culinary purposes.

7.2: Notification for Inspection

The Health Authority shall be notified by telephone or in writing at least 48 hours prior to the commencement of any work to construct, deepen, modify or seal a water well, monitoring well or closed loop well for which a permit has been issued.

It shall be the responsibility of the person to whom the permit is issued to notify the Health Authority as required.

SECTION 8: DISINFECTION AND ANALYSIS

All components of a new water well construction and/or modification shall be thoroughly disinfected with a strong chlorine solution of at least 100 parts per million to the well water. After purging the system of any chlorine residual, a water sample shall be taken and satisfactory bacteriological results, as confirmed by a certified laboratory, shall be obtained prior to utilizing the water system for drinking or culinary purposes. A certified laboratory shall mean a laboratory operated by the Illinois Department of Public Health or a laboratory given certification approved by the aforementioned agency for the processing of official samples of water.

SECTION 9: SEMI-PRIVATE WELLS

9.1: Semi-Private Water Wells – Bacteriological and Nitrate Analysis

It shall be the duty of every owner of a semi-private water system that has five or more service connections to have the water analyzed annually, by June 1 of each year by a certified laboratory as required by the Health Authority. The results of the analysis shall meet the bacteriological and nitrate requirements as specified in the *Illinois Department of Public Health Area Sanitary Practice Act*. Such water shall also be bacteriologically analyzed whenever the water lines are opened for repair, replacement, or extension of the water distribution system. A copy of the water sample analysis report shall be filed with the Health Department.

9.2 Semi-Private Wells – Additional Bacteriological and Nitrate Analysis

When any water sample exceeds the maximum allowable level for bacteriological contaminants or nitrates, the owner of the supply shall have a repeat sample taken within forty-eight (48) hours of the receipt of the laboratory results.

When the repeat sample exceeds the maximum allowable contaminants for coliform bacteria, the owner of the supply shall complete the following:

(a) Notify the users of the water supply in writing and by conspicuous posting of such failure to comply with the provisions of this Ordinance within two (2) days of receipt of notification of laboratory results. Notification shall be as specified in the Illinois Drinking Water Systems Code and a written copy shall be sent to the Health Authority. All notices shall be dated and signed by the owner or authorized person and include a telephone number where that person may be reached.

(b) If the water supply exceeds the maximum allowable bacteriological contaminant level, the owner shall complete disinfection of the supply within seventy two hours (72) from the receipt of the laboratory results from the repeat sample that show unsatisfactory contaminant levels.

(c) When two consecutive analyses meet the requirements of this Section and are approved by the Health Authority, the public notification shall be removed.

9.3 Semi-Private Well Registration

The owners of all semi-private wells with five or more service connections shall register the same with the Health Authority by completing and submitting an approved registration form by January 1, 2001 and annually thereafter by January 1st of each calendar year. If the owner is a firm, corporation, partnership, etc., then the owner shall appoint a person to be in charge of the maintenance of said water well. His / Her name shall be registered with the Health Authority.

SECTION 10: SUBDIVISIONS

10.1 Preliminary Plat Review Application

When private sewage disposal systems and / or private or semi-private water wells are to be used for any subdivision written approval from the Health Authority shall be obtained prior to approval by the Bureau County Planning Committee. Application for a preliminary plat review shall be made in writing to the Health Authority. Each application shall be accompanied by the following:

(a) A copy of the proposed subdivision plat. This plat shall include, but not be limited to, the location of water wells, water lines, shut off valves or curb boxes, soil borings and any contaminants which are commonly used, stored or naturally occurring within 200 feet of the subdivision.

(b) A report estimating the depth of well(s), peak, average and maximum gallons per day of water usage, gallons per day produced by the well, storage tank requirements, and any water treatment.

(c) A soil map depicting the soil types, and associated design groups and the distance to any limiting layer shall be superimposed on a topographic map of the area to be subdivided.

(d) For subdivisions with three (3) or more lots a soil classification report shall be submitted. This report shall include the following:

1. A description of each soil series, and design group identified, the extent of their coverage on the preliminary plat.

2. A description of any limitations of the soil for subsurface disposal systems, including the distance to any limiting layer, as defined in the *IL Private Sewage Disposal Act and Code,* the estimated absorption rate or percolation rate, loading rate and soil design group.

3. At least one soil boring shall be conducted for each change in soil type or design group, as evidenced in soil map required in section 12.1(c) with no less than one soil boring per acre. Additional soil borings may be required by the Health Authority if deemed necessary.

4. All soil investigations and classifications shall only be conducted by those authorized persons as specified in the Illinois Private Sewage Code (IL Administrative Code). The Health Authority shall be notified at least forty-eight (48) hours prior to conducting the soil borings so that an inspector may be on site.

5. Soil borings shall be flagged or marked in a way which is easy to identify on site. Both soil borings and the distance to any limiting layer shall be clearly marked on the plat diagram.

(e) For subdivisions with less than three (3) lots, results of percolation tests performed by a private sewage disposal contractor registered in Bureau County or a soil classification report as outlined in Section 12.1(d) 1-5 of this Ordinance scientist shall be submitted.

(f) A report showing the location of all subsurface field tiles and their size that are known by the owner shall be submitted.

(g) The appropriate plat review fee, as stated in Schedule 1 of this Ordinance.

10.2 Subdivision Lot Requirements

All newly platted or replatted subdivision, tract, parcel or lot of land divided into two (2) or more parts, shall be subject to the following requirements. Should the Health Authority deem necessary, additional requirements may be required.

(a) Any lot requiring a private sewage disposal system shall be a minimum of fifteen thousand (15,000) square feet in size, including easements for lots served by a public or semi-private water supply system.

(b) Any lot requiring both a private sewage disposal system and water well system shall be a minimum of one-acre (43,560 square feet) in size, including easements.

(c) The lot containing only a semi-private well shall be no less than one acre in size.

(d) Any lot where a private sewage disposal system requiring a surface discharge is to be utilized in conjunction with a public or semi-private water well system shall be a minimum of one acre in size.

(e) A proposed subdivision plat shall not be designed or situated in such a manner which will require private sewage disposal systems with surface discharges on more than one-third of the proposed lots.

(f) Whenever a subdivision is located within 2,000 feet of a public water supply or public sewer system to which connection is practical and is permitted by the controlling authority, the subdivision shall be connected to the public water supply and sewer, and these shall be the sole source of water to be used for human consumption and culinary purposes and sewage disposal for the subdivision.

10.3 Subdivision Construction Requirements

(a) All designated individual sewage disposal system areas shall be protected from damage during the construction stage of the subdivision. As a condition of approval, any lot destroyed during development shall be combined with buildable lots.

(b) Common collectors installed for the purpose of collecting treated effluent from Class I effluent, shall meet the following criteria:

1. A maximum of three systems shall be allowed to discharge to a common collector.

2. The point of discharge form a common collector shall be on property belonging to the subdivision, or a legal easement shall obtained from the owner of the property where the collector discharges. A copy of said easement shall be filed with the Health Authority. No common collector shall discharge closer than 100 feet from another common collector discharge point.

3. The effluent from the common collector shall not pond.

10.4 Evaluation and Approval of Subdivision Plat Application

After all required reports, applications and fees are received, the preliminary plat application shall be evaluated for compliance with this Ordinance. Approval shall be granted when the Health Authority determines that the proposed subdivision will allow placement of an approved sewage disposal system on each lot and the proposed subdivision meets the requirements of this Ordinance.

SECTION 11: CLOSED-LOOP WELLS

No closed-loop well shall be constructed, deepened, or modified in Bureau County without first obtaining a permit from the Health Authority. It shall be the responsibility of the property owner to obtain a permit before any construction, deepening or sealing of a closed-loop well is begun. All applications for permits granted under the provisions of this Ordinance shall be made in writing and on such forms as prescribed by the Health Authority. Sufficient data shall be included to allow review and to determine whether the proposed application for permit meets the requirements of this Ordinance. A permit fee of ~~$100.00~~ $200.00 shall accompany the permit application. Any Contractor constructing, deepening or modifying a closed-loop well in Bureau County shall register annually with the Health Department. A registration fee of $50.00 shall accompany the registration application. A certificate of registration shall be issued upon approval from the Health Department.

SECTION 12: WATER SAMPLING BY THE HEALTH AUTHORITY

If the Health Authority is asked to collect a water sample, the appropriate fee for this service shall be submitted plus any laboratory fee(s) if applicable. See schedule 1 for a list of fees. No fee shall be charged for the initial water sample from a new well, permitted by the Health Authority, or any water sample taken that has public health significance.

SECTION 13: ENFORCEMENT

13.1 Notice of Violation

Whenever the Health Authority determines that there is a violation of any provision of this Ordinance, the Health Authority shall give notice of violation. Such notice shall:

(a) Be in writing.

(b) Include a statement of the reasons for issuance of notice.

(c) Contain an outline of remedial action required and allow a reasonable time to effect compliance with this Ordinance.

(d) Be served upon the owner, operator or resident, provided that such notice shall be deemed to have been properly served when the notice has been personally delivered or sent by registered or certified mail.

(e) A Health Violation Notice may be publicly posted on the property indicating the following:
1. Date and time of inspection.
2. Type of violation noted.
3. Inspector's name and telephone number
4. Warning of adverse conditions.

It shall be a violation of this Ordinance for any person except the Health Authority to remove or allow being removed a Health Violation Notice posted on any property. This Notice shall be removed by the Health Authority when compliance with this Ordinance has been achieved.

13.2 Suspension of Permit

If upon inspection by the Health Authority any provisions of this Ordinance or permit specifications for a stated property have been found to be violated, the Health Authority shall notify the installer to make such specified changes in the work to allow compliance with the provisions of this Ordinance and the permit. If such changes are not made within a period of time specified by the Health Authority said permit shall be suspended, and it shall be unlawful to place the water well into operation.

13.3 Hearing Before the Health Department Administrator

Any person affected by any order or notices issued by the Health Department in connection with the enforcement of this Ordinance, may file in the office of the Health Department a written request for a hearing before the Health Department Administrator. The Health Department Administrator shall hold a hearing at a time and place designated by him or her within thirty (30) days from the date on which the written request was filed. The petitioner for the hearing shall be notified of the time and place of the hearing not less than five (5) days prior to the date on which the hearing is to be held. As a result of the hearing, the Health Department Administrator shall render a decision within ten (10) days after the date of the hearing, which shall be reduced to writing and sent to the petitioner any person aggrieved by the decision of the Health Department administrator may seek relief through a hearing before the Health Board.

EFFECTIVE DATE:

This Ordinance shall be in full force and effective immediately upon its adoption as provided by law. The above and foregoing Ordinance adopted on the 14th day of September, l992 is hereby repealed.

AMENDMENTS PASSED, APPROVED AND ADOPTED THIS 14th day of February, 2006.

Bureau County Health Department Administrator

Bureau County Board of Health President

Chairman of the County Board of the County of Bureau, Illinois

SCHEDULE 1 - WATER WELL FEES:

Permit Fees:	
Water Well Construction Permit	$100.00
Closed-Loop Well Permit	$200.00
Monitoring Well Permit	$0.00
Well Sealing Permit	$ 30.00
Annual Registration Fees:	
Closed-Loop Well Contractor Registration	$ 50.00
Water Well Contractor Registration	$ 0
Pump Installation Contractor Registration	$ 0
Water Sampling Fee:	
Water Sampling Fee - Sample collected by Health Department	$50.00
Water Sampling Fee (initial sample of a new well or samples that have Public Health Significance)	$ 0
IDPH Water Testing Kit (Coliform & Nitrates)	$25.00
IDPH Water Testing Kit (Coliform)	$15.00
IDPH Water Testing Kit (Nitrates)	$15.00
Plat Review Fees:	
Plat Review Fee, First Lot	$100.00
Each Additional Lot	$ 25.00