

## CHAPTER 93

# CITY WELLS AND PRIVATE WELLS

93.01 Construction Unlawful  
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**93.01 CONSTRUCTION UNLAWFUL.** It is unlawful for any person to construct any well or subsurface water source within the City limits without first having obtained a permit therefor.

**93.02 USE OF EXISTING WELL.** Any person in the City limits utilizing an existing private well or subsurface water source in a dwelling or other structure which is also served by a municipal water connection shall not have an interconnecting connection between the two systems. A backflow preventer or device shall not be allowed.

### **93.03 PERMITS.**

1. Application. Any person desiring to construct a private well or private water source within the City limits shall file an application for a permit with the Clerk.
2. Contents of Application. The application shall be on a form provided by the Superintendent and shall contain the following information:
  - A. Name, address and telephone number of applicant and location of drilling site, showing buildings or structures on the lot;
  - B. Anticipated depth, and detailed plans for construction;
  - C. Purpose (i.e., residential dwelling or commercial use);
  - D. Monthly estimated use (draw) in gallons;
  - E. Statement that backflow preventer device approved by Superintendent will be installed if the well serves any dwelling or building which is also connected to the municipal water supply;
  - F. Statement authorizing inspection of the well or private water source by the Superintendent after completion of the well but before use, and annual inspections thereafter;
  - G. Name of contractor who will construct the well.

The applications shall be signed by the applicant or the contractor for the applicant.

3. Application Fee. Each permit application shall be accompanied by an application fee of one hundred dollars (\$100.00).
4. Investigation. Upon receipt of a properly completed application and the fee therefor, the Superintendent shall investigate the contents of the application to determine if the proposed private well or private water source complies with the requirements of Section 93.04 and shall make a written recommendation of approval or disapproval of the application to the Council. The Superintendent may set out the

reasons for recommendations made and may consult with the applicant concerning changes in plans or design.

5. City Council Action. The application and the recommendations of the Superintendent shall be presented to the Council for action in open session. In the event of approval, the Clerk shall issue a permit to the applicant which shall authorize construction of the private well or water source in conformity with the specifications set forth in the application and the requirements of Section 93.04. Construction or use of a private well or water source contrary to the terms approved shall void the permit issued under this chapter and shall entitle the City to utilize any remedies available, including an action to enjoin further use of the well or private water source.

**93.04 STANDARDS AND REGULATIONS.** All private wells or private water sources shall be constructed in compliance with the guidelines and private model standards for private water supplies adopted by the Iowa Department of Natural Resources and contained in Chapter 900 of the Iowa Administrative Code, which provisions are adopted as the standards relating to construction of private water supplies within the City. In addition the following restrictions shall apply:

1. No such private well or private water source shall be located within one thousand (1,000) feet of an existing City well or Leaking Underground Storage Tank site, unless it can be determined that the wells are in separate aquifers.
2. No such private well or private water source shall be permitted if the City water main is located within two hundred (200) feet of the nearest property line of the property on which such private well or private water source is to be placed.
3. The well shall not be constructed in an area the City considers to be contaminated or otherwise unsuitable for a well (as further discussed in Section 93.03[5]). Environmental monitoring will be required.

**93.05 NONUSE OF EXISTING PRIVATE WELLS OR PRIVATE WATER SUPPLIES.** In the event that an existing private well or water source shall not be used for a period of one year, such well or private water source shall be capped and closed and shall not be used until a permit has been obtained in the manner required for construction of a new private well, or until the private well or private water source is abandoned in accordance with the Iowa Department of Natural Resources Standards.

**93.06 SEPARATION DISTANCES FROM WELLS.** The separation distances as contained in Iowa Administrative Code Section 567 Chapter 43 Table A are hereby adopted and incorporated herein (see Table A). These separation distances shall apply to the existing City water supply wells and new water supply wells as may be constructed. Any violation of this ordinance shall be considered a municipal infraction and the provision of Chapter 4 entitled Municipal Infractions shall apply. *(Ord. 1150 – Aug. 21 Supp.)*

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