

LASALLE COUNTY HEALTH ORDINANCE ARTICLE III POTABLE WATER SUPPLIES

DEFINITIONS:

1. **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 milk and water
2. **Closed Loop Well** shall mean a sealed, watertight loop of pipe buried outside of a building foundation intended to re-circulate a liquid solution through a heat exchanger but is limited to the construction of the borehole and the grouting of the borehole and does not include the piping and appurtenances used in any other capacity. “Closed loop well” does not include any horizontal closed loop well systems where grouting is not necessary by law or standard industry practice.
3. **Closed Loop Well Contractor** means any person who installs closed loop wells for another person. “closed loop well contractor” does not include the employee of a closed loop well contractor
4. **Construction** means all acts necessary to obtaining groundwater by any method including without limitation the location of and the excavation for the well, but not including prospecting, surveying or other act preparatory to those activities, nor the installation of pumps or pumping equipment
5. **Community Public Water System** shall mean a water supply system which has at least fifteen (15) service connections used by permanent residents, or regularly serves twenty-five (25) or more permanent residents daily for at least sixty (60) day a year and is regulated by the Illinois Environmental Protection Agency
6. **Horizontal Closed Loop Well System** means any open cut excavation where a watertight loop of pipe is buried outside of a building foundation that is intended to re-circulate a liquid solution through a heat exchanger
7. **Modification** means the alteration of the structure of an existing well, including , but not limited to, deepening, elimination of a buried suction line, installation of a liner, replacing, repairing or extending casing, or replacement of a well screen. Pertaining to closed loop wells, “modification” also means any alteration to the construction of the borehole of an existing closed loop well, including, but not limited to, regrouting and installation of additional boreholes. **Modification includes the installation of a pitless adapter, changes in wells pumping capacity and other changes of the well structure.**
8. **Monitoring Well** means a water well intended for the purposes of determining groundwater quality or quantity.
9. **Non-Community Public Water Supply** shall mean a public water supply which is not a community water supply, that 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
10. **Private Water Well** shall mean a water well which serves an owner-occupied single family residence or dwelling
11. **Semi-Private Water Well** shall mean a water well which is not a public water supply, yet which serves a segment of the public other than an owner-occupied single family residence or dwelling
12. **Water Well** - as defined in the most current edition of the “Illinois Water Well Construction Code”

SECTION A, GOAL:

To provide for consumer protection and to reduce the risk of transmission of communicable disease and other health threats by providing for a safe, potable, and adequate supply of water for drinking, culinary and sanitary purposes by promoting the proper design and construction of individual water wells and closed loop well systems.

SECTION B, SCOPE:

An ordinance regulating all water wells and closed loop wells as defined in the most current edition of the "Illinois Water Well Construction Code" the construction and/or modification of such wells within the limits of LaSalle County, Illinois as provided for in Chapter 34, Section 419 of the Illinois Revised Statutes and as referenced in Chapter 111 2, Section 20c 8 of the same Illinois Revised Statutes.

SECTION C, 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:

1. "Illinois Water Well Construction Code, Rules and Regulations."
2. "Illinois Water Well Pump Installation Rules and Regulations"
3. "Rules and Regulations of Sanitary Practice for Drinking Water, Sewage Disposal and Restroom Facilities."
4. "Rules For Drinking Water Systems"
5. "Illinois Groundwater Protection Act".

One copy of each of the above rules and regulations shall be on file in the office of the LaSalle County Clerk.

SECTION D, PERMIT TO CONSTRUCT

It shall be unlawful for any person to construct, modify, and/or seal any water well within the County unless he holds a valid permit issued by the Health Department.

1. It shall be the responsibility of the Illinois Water Well Contractor, Pump Installation Licensed Contractor, and/or Closed Loop Well Contractor to insure that a permit has been issued for said construction, modification and/or sealing and to follow the conditions of the permit. Failure of the Illinois Water Well Contractor, Pump Installation Licensed Contractor, and/or Closed Loop Well Contractor to insure said permit has been issued or to violate conditions of said permit shall constitute a violation of this Ordinance and penalty action may be taken.

SECTION E, APPLICATION FOR PERMIT:

All applications for permits granted under the provision of the Ordinance shall be in writing on forms provided by the Health Department and submitted to the Health Officer. Sufficient data shall be included to allow review and to determine whether the proposed application for permit meets the requirements of this Ordinance.

1. A person desiring a permit required herein shall apply to the Health Officer upon an application form which shall be completed and signed by each applicant and shall include the following:
 - a. The name and address of the applicant and legal description of the proposed site of construction, alteration or extension as proposed.
 - b. Such other information as may be required by the Health Department to substantiate that the proposed construction, alteration or extension complies with minimum standards of this Ordinance.

2. Said permit to construct is valid for a period of one (1) year from the date of issuance. If construction and/or reconstruction has not started within this period, the permit is void.
3. Fees
 - a. There shall be a fee charged for the permits required in this Article. The fee, as stated in the LaSalle County Health Department Environmental Health Fees Ordinance, shall be collected at the time the application for permit is submitted and shall be deposited into the Health Department fund. If a permit is denied the fee shall be returned to the applicant. If at any time the State of Illinois initiates a fee for the installation of water wells, the LaSalle County well permit fee shall be eliminated.
 - b. Whenever the Health Department is requested to make an evaluation of a private water supply system and/or a private sewage disposal system as a part of a sale or transfer of property, the fees shall be charged as stated in the LaSalle County Health Department Environmental Health Fees Ordinance.

SECTION F, ADMINISTRATION AND ENFORCEMENT:

1. A water well and/or closed loop well shall not be placed in operation until the installation has been inspected to verify compliance with applicable provisions of this Ordinance and written approval issued by the Health Department.
2. The Health Department may make inspections pursuant to the administrative Inspection provisions of this Ordinance during the course of construction of any water well to insure compliance with this Ordinance.
3. All components of a new water well and/or closed loop well construction and/or modification shall be thoroughly disinfected with a strong chlorine solution; and satisfactory bacteriological sample results as confirmed by a certified laboratory shall be obtained prior to utilizing the water system for drinking and culinary purposes.
4. Wells that are abandoned shall be sealed in a manner prescribed by the Health Department and the "Illinois Water Well Construction Code."
5. All water wells constructed prior to the effective date of this Ordinance shall comply with any provisions of this Ordinance deemed necessary by Health Department, if in the opinion of the Health Department that the existing condition constitutes a public health threat.
6. The Health Department may refuse to grant a permit for the construction of a water well where a public or community water system is available. A public water supply shall be deemed reasonably available when a public water supply line is in place within any street, alley, right-of-way or easement that adjoins or abuts the premises for which the permit is requested, or when the improvements to be served is located within a reasonable distance of a public water supply to which connection is practical and is permitted by the controlling authority for the water supply. A reasonable distance for the purpose of this provision shall be deemed to be not greater than three hundred (300) feet for a single family residence and not greater than one thousand (1,000) feet for a commercial establishment, subdivision or multi-family dwelling. *The Health Department may refuse to grant a permit for the construction of a closed loop well when proper isolation distances cannot be met, and when installation of said system would impact the future development of neighboring properties.*

SECTION G, SPECIAL REQUIREMENTS:

1. **Community Public Water Supply Use.** No permit for the construction of a water well shall be issued for locations within the corporate boundaries of municipalities served by a public water supply.
2. **Prevention of Cross-Contamination.** It shall be the responsibility of every owner of every water well to insure that said system is not cross connected with any possible source of contamination.
3. **Variiances.** If conditions exist which make impractical or impossible compliance with the

requirements of this Ordinance, a variance may be granted by the Health Officer. A person seeking a variance shall submit to the Health Officer a written proposal which is to be used in lieu of compliance with provisions of this Ordinance. Such written request shall include all pertinent data which lends support to the requested proposal. The capability of the requested proposal to comply with the intent of this Ordinance will be the basis for approval or denial of the variance. The Health Officer will notify the applicant in writing regarding the decision to either grant or deny the variance within fifteen (15) days of receipt of the requested proposal. A variance shall be requested and approved before construction and/or other action begins.

4. Any persons aggrieved by the decision of the Health Officer may request a hearing in accordance with the provisions of Article I of the LaSalle County Health Ordinance.