

**Lee County Board
Dixon, Illinois**

EXHIBIT A

**LEE COUNTY CODE OF LEE COUNTY
TITLE 8 - WATER AND SEWER**

CHAPTER 1 - WATER SUPPLIES

SECTION:

8-1-1: Purpose And Scope

8-1-2: Definitions

8-1-3: Statutes, Rules And Regulations Adopted By Reference

8-1-4: Water Supply Requirements

8-1-5: Permit Requirements

8-1-6: Application For Permit; Fee

8-1-7: Issuance Of Permit

8-1-8: Property Owner's Responsibility

8-1-9: Water Well And/Or Pump Installation Contractors

8-1-10: Cisterns

8-1-11: Abandoned Wells

8-1-12: Inspections

8-1-13: Analyses

8-1-14: Suspension Of Permit

8-1-1: PURPOSE AND SCOPE:

A. Purpose: The ordinance codified in this chapter is enacted for the purpose of regulating water supplies, the construction and modification of water wells, the sealing of abandoned wells, and the inspection of water supplies and their components within Lee County.

B. Scope: The Board of Health of the Lee County Health Department has deemed it necessary and desirable to regulate water supplies for health purposes and groundwater protection, and accordingly has recommended adoption of the ordinance codified in this chapter. (Ord., 9-20-1994)

8-1-2: DEFINITIONS:

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

Lee County Board Dixon, Illinois

ABANDONED CISTERN: A water collection system in any place or on any premises which is no longer used to store or supply water, or which contains stagnated water, or which poses a threat to the health or safety of the individuals, or to the public.

ABANDONED WELL: 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's health or safety.

CERTIFIED LABORATORY: A laboratory operated by the Illinois Department of Public Health or a laboratory given certification approval by the aforementioned agency for analyzing samples of water for potable use.

CLOSED LOOP WELL: A sealed, watertight loop of pipe buried outside of a building foundation intended to recirculate a liquid solution through a heat exchanger but is limited to the construction of the borehole, piping in the borehole, heat exchange fluid, 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.

COMMUNITY PUBLIC WATER SYSTEM: 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 per year.

HEALTH AUTHORITY: That person or persons designated by the Lee County Board of Health to enforce this chapter.

HEALTH DEPARTMENT: The Lee County Health Department including its duly authorized representatives.

HEALTH DEPARTMENT ADMINISTRATOR: The individual selected by the Lee County Board of Health to administer and enforce the policies, ordinances, resolutions, and laws of said board.

NONCOMMUNITY PUBLIC WATER SYSTEM: A public water system which is not a community water system, and has at least fifteen (15) service connections used by nonresidents, or regularly serves twenty-five (25) or more nonresident individuals daily for at least sixty (60) days per year.

POTABLE WATER: Water that is suitable for human consumption and which meets public health standards for drinking water.

PRIVATE WATER SYSTEM: Any supply which provides water for drinking, culinary, and sanitary purposes and serves an owner-occupied single-family dwelling.

SEMIPRIVATE WATER SYSTEM: A water supply which is not a public water system, yet serves a segment of the public other than an owner-occupied family dwelling.

WATER WELL: Any excavation that is drilled, cored, bored, washed, driven, dug, jetted, or otherwise constructed when the intended use of such excavation is for the location, diversion, artificial recharge, or acquisition of groundwater, but such term does not include an excavation made for the purpose of obtaining or prospecting for oil, natural gas, minerals or products of mining or quarrying or for inserting media to repressure an oil or natural gas bearing formation or for storing petroleum, natural gas or other products or for observation or any other purpose in connection with the

Lee County Board Dixon, Illinois

development or operation of a gas storage project. (Ord., 9-20-1994; amd. Ord. 06-07-008, 6-19-2007; Ord. 07-14-002, 7-15-2014; Ord. 08-15-012, 8-18-2015)

8-1-3: STATUTES, RULES AND REGULATIONS ADOPTED BY REFERENCE:

In addition to those provisions set forth herein, this chapter 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, which publications are incorporated herein and adopted by reference as part of this chapter. All sources of drinking water, as well as the distribution system of water, shall be located, constructed, and maintained in accordance with this chapter.

- A. Illinois Water Well Construction Code (77 Ill. adm. code 920).
- B. Illinois Water Well Pump Installation Code (77 Ill. adm. code 925).
- C. Public Area Sanitary Practice Code (77 Ill. adm. code 895).
- D. Drinking Water Systems Code (77 Ill. adm. code 900).
- E. Surface Water Treatment Code (77 Ill. adm. code 930). (Ord., 9-20-1994)

8-1-4: WATER SUPPLY REQUIREMENTS:

A. **Public Water Supply Use:** In those locations where a public water supply is reasonably available unless public health significance allows otherwise as determined by the Lee County Health Department, that supply shall be the sole source of water for drinking and culinary purposes. A public water supply shall be deemed reasonably available when the subject property is located within three hundred feet (300') of the public water supply to which connection is practical and is permitted by the controlling authority for said water supply unless public health significance allows otherwise as determined by the Lee County Health Department. (Ord. 09-97-009, 9-16-1997)

B. **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 nonpotable water and shall be protected against backflow and back siphonage in accordance with the requirements of the Illinois Plumbing Code. 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 twenty (20) pounds per square inch shall be maintained throughout each potable water supply.

C. **Surface 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 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. (Ord., 9-20-1994)

8-1-5: PERMIT REQUIREMENTS:

- A. **Permits Required:**

Lee County Board Dixon, Illinois

1. Water Wells: No water well or closed loop well shall be constructed, deepened, modified, or sealed except in accordance with this chapter, and it shall be unlawful to proceed with such work unless a permit has first been obtained from the health authority.
2. A noncommunity public water supply shall not be operated without first obtaining a permit from the Illinois Department of Public Health. (Ord. 07-14-002, 7-15-2014)
3. Irrigation Wells: For all future irrigation wells, permits shall be required from the Lee County Health Department, supplying information showing the location, depth, pipe size, pump capacity, and water elevation of each well. (Ord. 06-07-008, 6-19-2007)

B. Permit Validity: A permit to construct, deepen, or modify a water well is valid for a period of twelve (12) months from the date of issuance. If construction has not started within this period, the permit is void. (Ord., 9-20-1994)

8-1-6: APPLICATION FOR PERMIT; FEE:

- A. Contents Of Permit: All applications for permits under the provisions of this chapter shall be made in writing and in such form as prescribed by the health authority. Sufficient data shall be included to determine whether the proposed application for the permit meets the requirements of this chapter.

Location of the well in relation to two adjacent lot lines

Lot boundaries

Private sewage disposal systems or sanitary sewer lines, and adjoining lot's sewage disposal system

Buildings

Driveways, sidewalks, decks, and patios

B. Site Evaluation: It shall be the applicant's responsibility that a site evaluation shall be conducted by a licensed well contractor for the determination of site suitability, and identification of possible sources of contamination (i.e., cistern, septic systems, abandoned well, feedlot, etc.). This information shall be submitted in a site plan diagram with the written application prior to any construction. (Ord., 9-20-1994)

C. Permit Fee: A permit fee in the amount allowable in the Illinois Water Well Construction Code shall accompany each application to construct, deepen, seal, or modify a water well or closed loop well. (Ord. 07-14-002, 7-15-2014)

D. An additional fee established by the Lee County Board of Health will be applied for the review of the well site plan, obtaining water sample, and other needed inspection-related activities of all potable wells, and shall be paid to the department prior to the issuance of a well permit.

E. An additional fee established by the Lee County Board of Health will be applied for the review of the well site plan, and other needed inspection-related activities of all non-potable wells, and shall be paid to the department prior to the issuance of a well permit.

8-1-7: ISSUANCE OF PERMIT:

**Lee County Board
Dixon, Illinois**

A. **Review By Health Authority:** Upon submission of the application for permit, including the plans and specifications of 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 the location of private sewage disposal systems and/or water wells on adjacent properties. It shall be the responsibility of the applicant or an authorized agent of the applicant to obtain all necessary data and to design a system which shall meet the requirements of this chapter. If the health authority, upon review of said application, finds that such application meets the requirements of this chapter, and upon payment of the required fee, a permit shall be issued to the applicant.

B. **Specifications And Restrictions:** Such permit shall include specifications specific to each proposed water well and shall include a statement as to any restrictions relating to the location, materials, components, or type of water well to be constructed. (Ord., 9-20-1994)

8-1-8: PROPERTY OWNER'S RESPONSIBILITY:

It shall be the responsibility of the property owner to obtain a permit before any construction, or deepening, sealing, or modification of a water well or closed loop well. Failure of the property owner to obtain a permit before any construction, deepening, sealing, or modification of a water well or closed loop well shall constitute a violation of this chapter. (Ord. 07-14-002, 7-15-2014)

8-1-9: WATER WELL AND/OR PUMP INSTALLATION CONTRACTORS:

A. **Responsibility:**

1. **Ensure Permit Issuance:** It shall be the responsibility of the water well contractor to ensure that a permit has been issued before any construction, deepening, sealing, or modification of a water well or closed loop well is begun and to follow the conditions of said permit. Failure of the water well contractor to ensure said permit has been issued or to violate the conditions of said permit shall constitute a violation of this chapter.

2. **Construction Requirements; Compliance With Statutes:** All water wells and closed loop wells shall be constructed in accordance with the Illinois Water Well Construction Code. All individuals who construct, deepen, seal, or modify water wells or closed loop wells and install well pumps shall be licensed by the Illinois Department of Public Health in accordance with the water well and pump installation contractor's license act. (Ord. 07-14-002, 7-15-2014)

B. **License Required:** No person shall engage in or carry on the business of installing or modifying water wells and/or well pumps unless such person is duly licensed by the Illinois Department of Public Health to perform such services. (Ord., 9-20-1994)

C. **Revocation Of License; Hearing:** The health authority may seek suspension or revocation, through the Illinois Department of Public Health, of any water well and/or pump installation contractor's license if, after a hearing, they should find incompetence, negligence, misrepresentation, or failure to comply with any provisions of this chapter.

D. **Late Fee:** Failure to submit well completion, pump installation, or well sealing logs within the required thirty (30) day time period, will result in a late fee of ten dollars (\$10.00) per day, including weekends and holidays, until proper forms are submitted. Fees must be paid prior to approval of additional permits for this contractor and outstanding approved permits will be held as unapproved until fees are paid. (Ord. 06-07-008, 6-19-2007)

Lee County Board Dixon, Illinois

8-1-10: CISTERNS:

Cisterns shall be properly eliminated. The floor or one wall of the cistern shall be broken or removed and the cistern shall be filled with compacted earth or a clean fill material as approved by the department. (Ord. 07-04-012, 7-20-2004)

8-1-11: ABANDONED WELLS:

A. **Inspection:** 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 this chapter. In questionable cases, the health authority shall make the determination as to whether a water well is considered abandoned upon the definition of an "abandoned well" and the facts in each particular case. (Ord. 06-07-008, 6-19-2007)

B. **Sealing Form Submitted:** Wells are to be sealed not more than thirty (30) days after they are abandoned in accordance with the sealing requirement in the Illinois Water Well Construction Code. Regardless of well construction, a water well sealing form shall be submitted to this department not more than thirty (30) days after said well is sealed. (Ord., 9-20-1994)

8-1-12: INSPECTIONS:

A. **Right Of Entry:** The health authority shall have the right to enter onto any property at any reasonable time to inspect any facility or condition thereon for the purpose of determining compliance with the provisions of this chapter.

B. Notification For Inspection:

1. **Prior To Construction Or Sealing:** The health authority shall be notified at least two (2) days prior to commencing the construction or deepening of a water well for which a permit has been issued. The health authority shall also be notified at least two (2) days prior to sealing of an abandoned water well at which time a date for inspection will be arranged.

2. **Contractor Responsibility:** It shall be the responsibility of the water well contractor to notify the health authority as required. (Ord., 9-20-1994)

C. Inspection Of Completed Work:

1. **Verify Compliance:** A water well shall not be placed into operation until the installation of the water well and its components have been inspected to verify compliance with applicable provisions of this chapter. (Ord. 07-04-012, 7-20-2004)

2. **Installations Remain Uncovered:** 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.

3. **Approval:** If the health authority, upon inspection of the specified installation or component thereof, finds that such work meets the provisions of this chapter, the health authority shall approve such work and authorize operation of the water well. However, compliance with subsection 8-1-13A of this chapter shall be obtained prior to utilizing the water system for drinking or culinary purposes. (Ord., 9-20-1994)

Lee County Board Dixon, Illinois

8-1-13: ANALYSES:

A. **Disinfection And Analysis:** All components of a new water well construction and/or modification shall be thoroughly disinfected with a strong chlorine solution which will yield a dosage of at least one hundred (100) parts per million to the water in the well. 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 and culinary purposes. Illinois Department of Public Health requires that all new wells be tested to assure the water supply is safe. The Lee County Health Department will collect one water sample for each newly constructed or modified well permit issued. If the water analysis is satisfactory the results will be sent to the homeowner and they may consume their well water. If the analysis is unsatisfactory, a chlorination procedure shall be sent to the homeowner and the well shall be retested until satisfactory water results are obtained. A fee established by the Lee County Board of Health will be applied for all retesting requests received by the Lee County Health Department. This fee shall be paid by the homeowner within thirty (30) days of service.

B. **Continuing Analysis:** It shall be the duty of every owner of every water well serving a semi-private water system for more than one residence to have the water therein bacteriologically analyzed by a certified laboratory as required by the health authority for the protection of public health. Such water shall also be bacteriologically analyzed whenever the water lines are opened for repair, replacement, or extension of the water distribution system. The water from a semiprivate water system shall meet the nitrate, chemical, and bacteriological requirements contained in the Drinking Water Systems Code. (Ord., 9-20-1994)

C. **Facilities served by non-community private water wells (not connected to municipal water systems), are subject to the Safe Drinking Water Act and are required to adhere to the sampling schedule mandated by the Illinois Department of Public Health (title 77 section 900).**

1. The Lee County Health Department may provide the option for non-community water supplies to contract with the health department for the collection of the facility's required water samples. Each year the Lee County Health Department shall provide each Non-Community supply an optional contract for their supply. This fee amount shall be established by the Lee County Board of Health. Facilities will have thirty (30) days to pay for this service.

2. If facilities elect to sample their own non-community supply, the Lee County Health Department will upon receipt of a late sample notice for a facility, mail the facility a notice granting an additional period of fourteen (14) days in which to complete sampling requirements. If, after this period, sampling has not been conducted and verified, this department will conduct the sampling at the expense of the facility in the amount established by the Lee County Board of Health, plus lab and postage fees. This amount shall be a marginal increase from the contracted fee. Facilities will have thirty (30) days to pay for this service.

8-1-14: SUSPENSION OF PERMIT:

A. **Violation; Order Compliance:** Upon inspection by the health authority, if it is found that any provisions of this chapter or any permit specifications for a stated property have been violated, the health authority shall notify the installer to make such specified changes in the work to allow for compliance with the provisions of this chapter and/or the permit specifications.