

## **CHAPTER 90**

### **WATER SERVICE SYSTEM**

#### **90.01 Board of Trustees**

#### **90.02 Mandatory Connection to Public Water System And Use of Private Wells**

**90.01 BOARD OF TRUSTEES.** The management of the City's Waterworks Utility is the responsibility of the Utility Board of Trustees established and operated as described in Chapter 21 of this Code of Ordinances.

#### **90.02 MANDATORY CONNECTION TO PUBLIC WATER SYSTEM AND USE OF PRIVATE WELLS.**

1. Connections to the Public Water System. Except as otherwise provided herein, all residences and business establishments within the City using water for human habitation or occupancy shall connect to the public water system. Water is used for human habitation or occupancy if it is used in the plumbing system of a residence or a business occupied by humans.

2. Exceptions. A residence or business establishment within the City using water for human habitation or occupancy may obtain its water from a private well as follows:

A. Existing Wells. A well in existence on the effective date of this ordinance may continue to obtain water from a private well as follows:

(1) For irrigation of grass and landscape plantings upon the property for so long as desired;

(2) For human habitation or occupancy until the date established at Section 90.02(2) herein.

B. New Wells. A well may be drilled only upon property that does not have access to the City water system within 200 feet of the property, and use of the well for human habitation or occupancy may continue until the date established at Section 90.02(2) herein.

(1) Permit. No person shall install or maintain a private well after the date of enactment of this ordinance, or own or use a private well within the City after such date, unless the person has registered such well and obtained a permit for same from the City. The registration and permit process shall be completed on forms provided by the City.

(2) Contaminated Area. Notwithstanding anything to the contrary which permits a private well to remain in existence within the City, neither shall a new private well be drilled nor shall repairs to an existing private well be made after the date of enactment of this ordinance, if the well is located within a contaminated area.

(3) Variance. The City Council, upon recommendation of the Superintendent of the City Water System or the Superintendent's designated assistant or agent, may consider a variance or exception to this section on application to the City.

(4) Termination of Use of Existing Wells. The use of any private well not permitted to continue under this section shall cease and the well shall be plugged in accordance with rules of the Iowa Department of Natural Resources 90 days after the date the public water system is extended to within 200 feet of the affected property.

(5) Definitions. For use in this section the following terms are defined:

a. "Private well" means any groundwater well, except a monitoring well used as a part of a remediation system, used both for drinking water and for non-drinking water purposes, including a groundwater well which is not properly plugged in accordance with rules of the Iowa Department of Natural Resources.

b. "Contaminated area" means a point within an area that has groundwater contamination or that, in accordance with design models of the Iowa Department of Natural Resources, may become contaminated due to percolation of groundwater contamination in the vicinity of the well site.

c. "Human habitation or occupancy" means use of water in the plumbing system of a residence or business used or occupied by humans.

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