

Champaign-Urbana Public Health District



**An Ordinance Establishing a Potable
Water Supply Program**

Ordinance No. 2016-01-01

Public Health
Prevent. Promote. Protect.

**Champaign-Urbana Public Health District
Environmental Health Division
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Champaign, IL 61820
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Ordinance No. 2014-01-01

AN ORDINANCE ESTABLISHING A POTABLE WATER SUPPLY PROGRAM

Whereas the Board of Health of the Champaign-Urbana Public Health District deems it desirable and necessary to regulate potable waters supplies for health purposes and for ground water protection; and

Whereas it is authorized by law for the Champaign-Urbana Public Health District [CUPHD] to operate its own Potable Water Supply Program instead of functioning as an agent of the State of Illinois with respect to a potable water supply,

Now, therefore, be it ordained by the Board of Health of the Champaign-Urbana Public Health District as follows:

Section 0.01: SHORT TITLE

This Ordinance shall be known as the "Potable Water Supply Ordinance."

Section 1: SCOPE

An ordinance regulating potable water supplies for the construction and modification of water wells, construction of closed loop wells, the sealing of abandoned wells, and the inspection of potable water supplies and their components and closed loop well systems within the jurisdiction of the Champaign-Urbana Public Health District, Illinois.

Section 2: DEFINITIONS

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

1. **ABANDONED WELL** means a **WATER WELL**, **CLOSED LOOP WELL**, 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 health or safety.
2. **CLOSED LOOP WELL** means 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 bore hole, piping in the bore hole, heat exchange fluid, and the grouting of the bore hole 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. **COMMUNITY WATER SYSTEM** means a public water system which serves at least 15 service connections used by residents, or regularly serves 25 or more residents for at least 60 days per year and is regulated by the Illinois Environmental Protection Agency.

4. **CONSTRUCTION PERMIT** means written authorization issued by the **HEALTH OFFICER** to construct, install, repair or modify any facility, structure or equipment regulated by this Ordinance.
5. **COOLANT** means the heat transfer fluid used in a **CLOSED LOOP WELL** system.
6. **DIRECTOR** means the Director of Environmental Health of the CUPHD or his/her representative.
7. **HEALTH OFFICER** means that person appointed as the Public Health Administrator by the CUPHD Board of Health or his/her authorized representative.
8. **HEALTH DISTRICT** means the Champaign-Urbana Public Health District [CUPHD], including its duly authorized representatives.
9. **NON-COMMUNITY WATER SYSTEM** means a public water system which is not a community water system, and has at least 15 service connections used by non-residents, or regularly serves 25 or more non-resident individuals daily for at least 60 days per year.
10. **POTABLE WATER** means water that is suitable for human consumption and which meets public health standards for drinking water.
11. **PRIVATE WATER SYSTEM** means any supply which provides water for drinking, culinary, and sanitary purposes and serves an owner-occupied single family dwelling.
12. **PUBLIC HEALTH ADMINISTRATOR** means that person appointed as the Public Health Administrator by the CUPHD Board of Health.
13. **SEMI-PRIVATE WATER SYSTEM** means a water supply which is not a public water system, yet which serves a segment of the public other than an owner-occupied single family dwelling.
14. **WATER WELL** means 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, except monitoring wells.

Section 3: STANDARDS AND REGULATIONS

In addition to those provisions set forth, this Ordinance shall be interpreted and enforced in accordance with provisions set forth in the following statutes, codes, rules, and regulations of the State of Illinois, Illinois Department of Public Health. All future amendments or revisions thereto also are incorporated herein and adopted by reference as part of this Ordinance.

1. "Water Well Construction Code." (77 Ill. Adm. Code 920)
2. "Illinois Water Well Pump Installation Code." (77 Ill. Adm. Code 925)

3. "Public Area Sanitary Practice Code." (77 Ill. Adm. Code 895)
4. "Drinking Water Systems Code." (77 Ill. Adm. Code 900)
5. "Surface Source Water Treatment Code." (77 Ill. Adm. Code 930)
6. "Illinois Water Well Contractors Licensing Act." (225 ILCS 245)

The foregoing citations to the Illinois Administrative Code for the incorporated codes and statutes are the citations existing at the time of adoption of this Ordinance and are included for convenience. If future amendments to those codes and statutes result in a change in the citation that does not affect the adoption into this Ordinance.

Section 4: ACTS PROHIBITED

- 4.1 No person shall construct, deepen or modify a WATER WELL or CLOSED LOOP WELL except in compliance with the terms of this Ordinance.
- 4.2 No person shall abandon or seal a WATER WELL or CLOSED LOOP WELL except in compliance with the terms of this Ordinance.
- 4.3 No person shall operate a PRIVATE WATER SYSTEM, NON-COMMUNITY WATER SYSTEM, or SEMI-PRIVATE WATER SYSTEM except in compliance with the terms of this Ordinance.

Section 5: PUBLIC WATER USE

In those locations where a public water supply is reasonably available, that supply shall be the sole source of water for drinking, culinary, and sanitary purposes. A public water supply shall be deemed reasonably available when the subject property is located within 200 feet of the public water supply to which connection is practicable and is permitted by the controlling authority for said water supply.

Section 6: 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 non-potable 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 drinking, culinary, and sanitary needs of the dwelling or premises served.

Section 7: 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 Source Water Treatment Code." No surface water shall be utilized as a POTABLE WATER supply unless the HEALTH OFFICER has reviewed and approved the supply and its components.

Section 8: ABANDONED WELLS

WATER WELL, CLOSED LOOP WELL, boring well, or monitoring wells that are abandoned shall be sealed in a manner prescribed by the "Illinois Water Well Construction Code."

- 8.1 The HEALTH OFFICER in his/her discretion may inspect ABANDONED WELLS which have been sealed to determine compliance with the ordinance.
- 8.2 Application for construction and inspection of a WATER WELL or CLOSED LOOP WELL sealing shall be made in writing and submitted on forms provided by the HEALTH DISTRICT.
- 8.3 The HEALTH DISTRICT shall be notified at least two HEALTH DISTRICT business days prior to the sealing of an ABANDONED WELL at which time a date for inspection may be arranged.

Section 9: WATER WELLS and CLOSED LOOP WELLS

- 9.1 All WATER WELLS and CLOSED LOOP WELLS shall be constructed by contractors meeting all applicable licensing and certification requirements within the State of Illinois.
- 9.2 Application for construction and inspection of a WATER WELL and CLOSED LOOP WELL shall be made in writing and submitted on forms provided by the HEALTH DISTRICT. Either the contractor or the property owner shall sign the application forms.
 - 9.2.1 Applications shall be accompanied by payment of fees as pursuant to Section 15 on Fees.
 - 9.2.2 The application shall also be accompanied by easily readable, scaled drawing showing the location of setback distances as described in the most current edition of the Illinois Water Well Construction Code on the applicant's property and on neighboring properties.
 - 9.2.3 Prior to the approval of the application, the HEALTH DISTRICT, at its discretion, may require additional information, and/or inspect the property and neighboring properties.
- 9.3 There shall be compliance with all WATER WELL and CLOSED LOOP WELL setback distances described in the most current edition of the Illinois Water Well Construction Code. All components of the system shall be installed only within the boundaries of the property on which the system is to be installed.
- 9.4 Construction reports for each WATER WELL and CLOSED LOOP WELL shall be provided to the HEALTH DISTRICT within 30 days after the completion of drilling.
- 9.5 For CLOSED LOOP WELLS the CUPHD shall be notified by telephone or in writing at least two HEALTH DISTRICT business days before the COOLANT is installed.
 - 9.5.1 All COOLANT containers shall be labeled with the COOLANT type and concentration. The CUPHD shall receive an actual or facsimile copy of the COOLANT label at least two HEALTH DISTRICT business days prior to COOLANT installation from the COOLANT installer.
 - 9.5.2 At the discretion of the HEALTH OFFICER, COOLANT installation may be witnessed by a representative of the HEALTH DISTRICT.

Section 10: CONSTRUCTION PERMIT REQUIRED

No WATER WELL or CLOSED LOOP WELL shall be constructed, modified, or deepened except in accordance with this ordinance. It shall be unlawful to proceed with such work unless a CONSTRUCTION PERMIT has first been obtained from the HEALTH DISTRICT. A NON-COMMUNITY WATER SYSTEM shall not be operated without first obtaining a permit from the Illinois Department of Public Health.

Section 11: APPLICATION FOR CONSTRUCTION PERMIT

11.1 All applications for CONSTRUCTION PERMITS under the provisions of this ordinance shall be made in writing and on such forms as prescribed by the HEALTH DISTRICT.

11.1.1 The application shall include specifications specific to each proposed WATER WELL or CLOSED LOOP WELL and shall include a statement as to any restrictions relating to the location, materials, components, or type of WATER WELL or CLOSED LOOP WELL to be constructed.

11.1.2 The application shall also include the location of the proposed WATER WELL, estimated total depth of the WATER WELL, the proposed aquifer into which the WATER WELL is to be terminated, a CLOSED LOOP WELL if applicable (with specific type of COOLANT identified), location of private sewage disposal systems and WATER WELLS, both private and public within the boundaries of the property and on adjacent properties.

11.2 It shall be the responsibility of the applicant to obtain all necessary data and to design a system which will meet the requirements of this Ordinance.

Section 12: ISSUANCE OF CONSTRUCTION PERMIT

12.1 Qualified Construction Permit Holders

12.1.1 Construction Permits shall be issued only to:

- A. A person possessing a valid license issued under the Illinois Water Well and Pump Installation Contractor's License Act, (225 ILCS 345/1 et seq.);
- B. The WATER WELL owner or CLOSED LOOP WELL owner.

12.1.2 Inspection Prior to Construction Permit Issuance

The HEALTH OFFICER may investigate conditions on the proposed site prior to the issuance of a CONSTRUCTION PERMIT.

12.1.3 Decision on Construction Permit Application

Upon submission of the application for CONSTRUCTION PERMIT, including the plans and specifications of the proposed WATER WELL or CLOSED LOOP WELL or component thereof, the HEALTH OFFICER will review said application within 14 HEALTH DISTRICT business days. The HEALTH OFFICER shall issue or deny the CONSTRUCTION PERMIT in accordance with the provisions of applicable paragraph of the Illinois Water Well Construction Code (paragraph 920.130(e) at the time of adoption of this Ordinance). If

such application meets the requirements of this Ordinance, and upon payment of the required CONSTRUCTION PERMIT and inspection fees, a CONSTRUCTION PERMIT will be issued to the applicant. In the event the CONSTRUCTION PERMIT is denied the reasons for such denial shall be provided in writing to the applicant.

12.1.4 Limits of Authority Granted by CONSTRUCTION PERMIT

A. A CONSTRUCTION PERMIT, when issued, shall authorize only the specific work described in the CONSTRUCTION PERMIT application. The CONSTRUCTION PERMIT shall not:

1. Authorize any other work;
2. Authorize work at any other location;
3. Authorize construction to be performed by any person other than as identified in the application;
4. Authorize construction to be performed in any manner other than as described in the CONSTRUCTION PERMIT application; or
5. Authorize use of the WATER WELL or CLOSED LOOP WELL to serve any use or any property building or facility other than as specified in the CONSTRUCTION PERMIT application.

B. The owner shall revise the CONSTRUCTION PERMIT application and obtain the approval of the HEALTH OFFICER prior to deviating from any aspect of the application on which the CONSTRUCTION PERMIT was issued.

12.1.5 Term

CONSTRUCTION PERMITS shall be valid for a period of twelve months from the date of issuance. The CONSTRUCTION PERMIT shall expire and have no further force or effect if the work described on CONSTRUCTION PERMIT shall not have been commenced within twelve months, unless extended as provided in Subsection 12.1.6. In such case, the CONSTRUCTION PERMIT shall be cancelled by the HEALTH OFFICER. Written notice of cancellation shall be given to the owner together with notice that work described on the canceled CONSTRUCTION PERMIT shall not proceed until a new CONSTRUCTION PERMIT is issued.

12.1.6 Extension

CONSTRUCTION PERMITS may be extended for such additional period as is set forth in the application for the CONSTRUCTION PERMIT or in an application for an extension of the CONSTRUCTION PERMIT as the time necessary to complete the construction. Such extension may be granted only upon a determination by the HEALTH OFFICER that the need for additional time is occasioned by the scope of the proposed construction, unique features of the site or design, work stoppages not under the control of the owner or other practicable necessity and not for lack of due diligence by the owner. Such extension shall be granted for the minimum amount of time needed to complete the project, but in no case shall such extension be granted for a period exceeding 180 days.

12.1.7 Revocation or Suspension

If it is determined by the HEALTH OFFICER that work is proceeding in a manner other than described in the CONSTRUCTION PERMIT application or that any material fact in the

CONSTRUCTION PERMIT application was misrepresented or inaccurately stated the HEALTH OFFICER may, in writing, suspend or revoke the CONSTRUCTION PERMIT.

Section 13: VARIANCES

When circumstances exist which make impracticable full compliance with the requirements of this Ordinance, an applicant may request that the DIRECTOR grant a variance. Such requests shall be made in writing, on such forms as prescribed by the HEALTH DISTRICT, and shall accompany the system plans and any other pertinent data which might support the request or which the DIRECTOR may require. The DIRECTOR may grant the variance provided it does not conflict with the purpose of this Ordinance. The DIRECTOR will notify the applicant in writing of the decision either to grant or deny the variance. The owner of the property for which a variance has been granted shall have the approved variance request form recorded with the Champaign County Recorder of Deeds. A copy of the recorded approved variance request form must be returned to the HEALTH DISTRICT prior to CONSTRUCTION PERMIT issuance. With the exception of CLOSED LOOP WELL, no variance shall be granted for new construction.

Section 14: PROPERTY OWNER'S RESPONSIBILITY

It shall be the responsibility of the property owner to obtain a CONSTRUCTION PERMIT before any construction or deepening of a WATER WELL or the construction of a CLOSED LOOP WELL is begun. Failure of the property owner to obtain a CONSTRUCTION PERMIT before any construction or deepening of a WATER WELL or the construction of a CLOSED LOOP WELL is begun shall constitute a violation of this Ordinance.

Section 15: FEES

The fees under this Ordinance shall be as follows:

WATER WELL

Construction permit fee \$100
Inspection fee \$100

CLOSED LOOP WELL SYSTEMS

Construction permit fee \$100 for the first 10 boreholes drilled plus
\$10 for each additional borehole drilled
Inspection fee \$150 for residential systems
\$300 for non-residential systems

WATER WELL AND CLOSED LOOP WELL SYSTEM SEALINGS

Construction permit fee No charge
Inspection fee No charge

Section 16: INSPECTIONS for WATER WELL or CLOSED LOOP WELL

16.1 Inspection Access

The HEALTH OFFICER shall have the authority to enter any property at any reasonable time for inspection purposes of WATER WELL or CLOSED LOOP WELL 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 OFFICER free access to the property for the inspection purposes to determine compliance with the provisions of this Ordinance.

16.2 Inspection Prior to Construction Permit Issuance

The HEALTH OFFICER may investigate conditions on the proposed site prior to the issuance of a CONSTRUCTION PERMIT.

16.3 Inspection Notification

It shall be the responsibility of the WATER WELL contractor or owner to notify a representative of the HEALTH DISTRICT in writing received or by telephone as required at least two HEALTH DISTRICT business days prior to:

- A) The construction or deepening of a WATER WELL or CLOSED LOOP WELL for which a CONSTRUCTION PERMIT has been issued. The HEALTH OFFICER also shall be notified on the day of the well grouting process with an approximate time within normal HEALTH DISTRICT business hours as to when this process will commence.
- B) The sealing of an ABANDONED WELL at which time a date for inspection will be arranged.

Section 17: WATER WELL FOR DRINKING, CULINARY AND SANITARY PURPOSES

17.1 WATER WELL operation

17.1.1 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 the applicable provisions of this Ordinance and written approval issued by the HEALTH OFFICER.

17.2 Disinfection and Analysis

17.2.1 All components of a newly constructed or modified WATER WELL shall be thoroughly disinfected with sufficient chlorine to yield a dosage of at least 100 parts per million to the water in the well and piping system. After purging the water system of any chlorine residual, a water sample shall be taken and analyzed by a certified laboratory and satisfactory results obtained prior to utilizing the water system for drinking, culinary, and sanitary purposes. If the well and piping system is for an owner occupied single family supply, a water sample may be taken by the owner and may analyzed by a certified laboratory for satisfactory results obtained prior to utilizing the water system for drinking, culinary, and sanitary purposes. A copy of the analysis shall be filed with the HEALTH DISTRICT.

17.3 Standards

17.3.1 The water obtained from a private well shall meet the requirements of the "Drinking Water Systems Code".

17.3.2 The water from a SEMI-PRIVATE WATER SYSTEM shall meet the requirements contained in the "Drinking Water Systems Code"

17.3.3 The water from a PRIVATE WATER SYSTEM, having surface water as its source, shall meet the requirements of the "Surface Source Water Treatment Code".

17.4 CLOSED LOOP WELLS are exempt from chlorination and sampling.

Section 18: PENALTIES

In the event of violation of this ordinance the HEALTH DISTRICT will take such action as it deems appropriate to enforce this Ordinance and to abate violation including but not limited to action in court for a temporary restraining order, preliminary injunction and permanent injunction.

Section 19: SEVERABILITY

In the event any part of this Ordinance is held by a court to be unenforceable or invalid, it is the intent of the Board of Health of CUPHD that the remainder of this Ordinance shall continue in force and effect to the extent the remainder can be given effect without the unenforceable or invalid provision.

Section 20: PUBLICATION

This Ordinance shall be published in pamphlet form not later than January 21, 2016.

Section 21: REPEALER

The Potable Water Ordinance approved and adopted on December 21, 2015, as Ordinance No. 2015-12-02 is repealed.

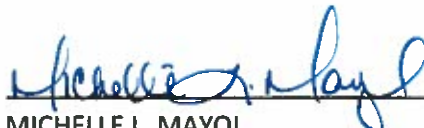
Section 22: EFFECTIVE DATE

This ordinance shall be effective on and after February 1, 2016.

Approved and adopted by the Board of Health of the Champaign-Urbana Public Health District on January 19, 2016.



ANDREW J. QUARNSTROM
Chair



MICHELLE L. MAYOL
Secretary

DATE 1/19/16

DATE 01/19/2016