

HENRY COUNTY POTABLE WATER ORDINANCE

PREAMBLE

This ordinance is established to eliminate disease transmission and chemical poisons or adulterants through provision of a safe, potable, adequate supply of water for drinking, culinary and sanitary purposes for every individual within the health jurisdiction.

DEFINITIONS

"Community Water System" means a public water system which serves at least 15 service connections used by residents, or regularly serves at least 25 residents for at least 60 days per year.

"Non-Community Public 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.

"Private Water System" means any system which provides water for drinking, culinary, and sanitary purposes and serves an owner-occupied single family dwelling.

"Semi-Private Water System" means a water system which is not a public water system, yet which serves a segment of the public other than an owner-occupied single family dwelling.

"Health Authority" shall mean the Administrator or Health Officer, or his designee, of the certified local health department under contract with the Henry County Board of Health to operate public health programs in Henry County and enforce the provisions of this ordinance.

SECTION 1 PUBLIC WATER SUPPLY USE

1.1 No building or residential dwelling shall be occupied without a sufficient potable water supply and pressure to adequately serve all plumbing fixtures therein. Sufficient supply and pressure shall be defined as specified in the Illinois Plumbing Code (77 Ill Adm. Code 890).

1.2 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.

SECTION 2 WATER SUPPLY LOCATION, CONSTRUCTION, REPAIR, DISINFECTION AND SEALING OF WATER WELLS AND INSTALLATION OF WATER WELL PUMPS

2.1 Water wells, except as otherwise herein provided, the location, construction, repair and disinfection of water wells and the installation of water well pumps shall be governed by the requirements set forth by the Illinois Department of Public Health booklets entitled "Illinois Water Well Construction Code - Rules and Regulations" (77 Ill. Adm. Code 920) and "Illinois Water Well Pump Installation Code - Rules and Regulations", (77 Ill. Adm. Code 925) and any subsequent amendments or revisions thereto, which are hereby made part of this ordinance by reference. Copies of said Codes shall be available at the Henry County Health Department office and online at www.ilga.gov/commission/jcar/admincode. Wells that are abandoned shall be sealed in a manner prescribed by the Illinois Water Well Construction Code, Section 920.120.

2.2 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 Illinois Department of Public Health Surface Source Water Treatment Code (77 Ill. Adm. Code 930) and any subsequent amendments or revisions thereto.

2.3 Cisterns. Cisterns shall not be used for a water supply except where adequate groundwater resources are not available. Cistern water and surface water supplies shall receive treatment in accordance with the Illinois Department of Public Health Surface Source Water Treatment Code (77 Ill. Adm. Code 930) and any subsequent amendments or revisions thereto.

SECTION 3 DISINFECTION AND ANALYSIS

3.1 Well owners shall have the water in their wells bacteriologically analyzed and approved by either the laboratory of the Illinois Department of Public Health or a laboratory approved by the Illinois Department of Public Health before the well is placed into service. A copy of the analysis shall be filed with the Henry County Health Department.

3.2 The water obtained from a surface supply shall meet the nitrate, turbidity, and bacteriological requirements contained in Sections 611.301, 611.250 and 611.325 of the Illinois Department of Public Health Drinking Water systems Code (35 Ill. Adm. Code 611) and any subsequent amendments or revisions thereto which is hereby made a part of this ordinance by reference, and the water obtained from a well shall meet the nitrate and bacteriological requirements of Section 611.301 and 611.325 of the Drinking Water Systems Code.

SECTION 4 CONTINUING ANALYSIS

4.1 It shall be the duty of every owner of every well serving as a water supply for more than one residence to have the water therein bacteriologically analyzed and approved at such times as required by the local Health Authority. Such water shall be analyzed aforesaid whenever the water lines are opened up for additional services for new residences which have not heretofore been serviced from said well. A copy of the analysis shall be filed with the Henry County Health Department.

SECTION 5 REGISTRATION

5.1 The owners of all wells serving as water supplies for more than one residence shall register the same with the Henry County Health Department on such forms as shall be furnished by said department. If the owner is a firm, corporation, partnership, etc., then the owner shall appoint a person to be in charge of the maintenance thereof of said well and all trunk and service lines, and his name shall be registered with said department. Any change as herein required shall be promptly reported by the owner to said department.

SECTION 6 STORAGE AND SERVICE LINES

6.1 An adequate storage capacity excluding the water heater for each residence served, maintained at a minimum pressure of twenty (20) pounds per square inch, shall be provided.

6.2 All truck lines and service lines shall be of adequate size.

SECTION 7 PERMIT REQUIRED

7.1 No water well shall be installed or reconstructed in this county, except in accordance with these regulations, and it shall be unlawful to proceed with the construction of a water well without first obtaining a permit from the Henry County Health Department. All wells and pumps shall be maintained in a safe condition by the owner.

SECTION 8 APPLICATION FOR PERMIT

8.1 Applications for such permits shall be in writing and in such form that shall be prescribed by the Henry County Health Department. The fee, if applicable, shall be collected by the Henry County Health Department at the time an application is submitted and deposited in the Health Department fund.

8.2 The application shall be accompanied by a plan showing direction of slope, location of property lines, the location of all existing structures, abandoned wells, septic tanks, subsurface seepage systems, cesspools, privies, sewers, other wells, lakes, ponds or streams, and all other sources of contamination and an indication of the type of contamination source on the applicant's property and on neighboring property, if they are within 200 feet of the proposed water well. Every such application shall be completed and signed by the installer.

8.3 For the required inspection, the Henry County Health Department shall be notified by telephone or in writing at least 48 hours prior to the commencement of any work to construct or deepen a potable water well for which a permit has been issued, or to seal a potable water, boring, or monitoring well.

SECTION 9 GEOTHERMAL EXCHANGE SYSTEMS (CLOSED LOOPED WELLS)

9.1 DEFINITIONS

Closed loop well system – a sealed, watertight loop of pipe buried outside of a building foundation, which is intended to recirculate a liquid solution through a heat exchanger. This includes but is not limited to vertical loop, horizontal loop and body of water loop systems.

Closed loop well system contractor – any individual who installs closed loop well systems except a closed loop well system excavator.

Closed loop well system excavator – any individual who excavates for the purpose of installing a closed loop well system including but not limited to drilling, boring, jetting, or digging.

9.2 REGISTRATION REQUIREMENT

No closed looped well shall be constructed or modified in Henry County, except in accordance with these regulations, and it shall be unlawful to proceed with the construction or modification of a closed looped well without first registering the location and type of closed looped well with the Henry County Health Department.

9.3 EXEMPTION

Closed looped wells installed within the corporate limits of a municipality shall be exempt from the registration requirement of the ordinance provided the municipality is providing a public water supply and public sewage disposal.

9.4 SEPTIC SYSTEM SETBACK

In order to protect the sewage disposal system and a horizontal or vertical closed looped well; there shall be a minimum set back of seventy-five feet between the systems.

9.5 APPLICATION FOR REGISTRATION

Application for registration for a closed looped well shall be in writing and in such form that shall be prescribed by the Henry County Health Department. The fee, if applicable, shall be collected by the Henry County Health Department at the time an application is submitted and deposited in the Health Department fund.

- (A) The application shall be accompanied by a plan showing the location of all existing structures, wells, septic tanks, secondary sewage treatment units, cesspools, privies, sewers, lakes, ponds or streams on the applicant's property and on neighboring properties, if they are within 200 feet of the proposed closed looped well.
- (B) The Henry County Health Department, at its discretion, may require additional information, and/or inspect the property and neighboring properties.

9.6 APPROVAL OF REGISTRATION

If upon receipt of the registration application and fee, the Henry County Health Department finds that the requirements of this Ordinance have been satisfied, the registration shall be valid.

- (A) The registration of plan to install a closed looped well is valid for a period of 12 months from the date of issuance.
- (B) If construction or modification of the closed looped well has not started within this period, the registration is void.
- (C) Any modification from the submitted plan approved with the registration application must be submitted to this office in writing before construction begins.

9.7 REGISTRATION OF CLOSED LOOPED WELL SYSTEM CONTRACTORS AND EXCAVATORS

All individuals who install or excavate closed looped well in this County shall be registered annually with the Henry County Health Department. A registration fee, as determined by the Health Department, shall accompany the registration application. The registration shall expire on November 30th of the year of issue.

9.8 INSPECTIONS

The Henry County Health Department shall be notified by telephone or in writing at least 48 hours prior to the commencement of any work to construct or modify a closed looped well for which a registration has been issued or to seal a closed looped well.

Before grouting and back filling is started, an inspection shall be made by the Henry County Health Department to determine if full compliance of the Ordinance has been met.

SECTION 10 EXEMPTIONS

10.1 The permit section of this ordinance shall not be applicable to wells that are to be used as a monitoring well, closed loop well systems, and any water well intended to serve a community public water supply system.

SECTION 11 ENFORCEMENT

11.1 Wells supplying drinking water which were constructed prior to the effective date of this ordinance shall comply with any provisions of the ordinance deemed necessary by the Health Authority.

11.2 The Henry County Board of Health or its authorized representative is hereby authorized and directed to make such inspections as are necessary to determine satisfactory compliance with this ordinance.

11.3 It shall be the duty of the owner or occupant of a property to give the Henry County Board of Health or its authorized representative free access to the property at reasonable times for the purpose of making such inspections as are necessary to determine compliance with the requirements of this ordinance.

SECTION 12 VIOLATIONS

12.1 Any violation of the provisions of this ordinance, upon conviction, shall be fined not less than ten dollars (\$10.00) nor more than seven hundred fifty dollars (\$750.00). Each day the violation continues shall constitute a distinct and separate offense.

SECTION 13 REGISTRATION OF WELL DRILLERS AND PUMP INSTALLERS

13.1 All well drillers and water well pump installers shall be licensed by the Illinois Department of Public Health and meet the requirements for registration within Henry County.

SECTION 14 REPEAL AND DATE OF EFFECT

14.1 All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed, and these rules and regulations shall be in full force and effect immediately upon its adoption and publication as provided by law.

SECTION 15 UNCONSTITUTIONALITY CLAUSE

15.1 Should any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of said ordinance shall not be affected thereby.

PASSED AND APPROVED BY THE COUNTY BOARD OF HENRY COUNTY,
ILLINOIS, AT THEIR REGULAR MEETING HELD ON 8/12/75.

REVISIONS PASSED AND APPROVED 7/10/84.

REVISIONS PASSED AND APPROVED 3/14/89.

REVISIONS PASSED AND APPROVED 12/12/06.