

**ORDINANCE # 004**

**WOODFORD COUNTY WATER WELL  
& CLOSED LOOP WELL ORDINANCE**

**Section 1: SCOPE**

An Ordinance regulating water supplies and closed loop well systems; the construction, deepening, and modification of wells, the sealing of abandoned wells, the inspection of water supplies and closed loop well systems and their components within Woodford County, Illinois.

**WHEREAS**, the Board of Health of Woodford County Department of Public Health has deemed it necessary and desirable to regulate water supplies and closed loop well systems for health purposes, and ground water protection, and accordingly has recommended adoption of the following Ordinance.

**THEREFORE**, be it resolved by the County Board of Woodford County, Illinois, that the following Ordinance is hereby made and adopted this 18 day of November, 2014.

**Section 2: DEFINITIONS**

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

- 1) **ABANDONED WELL** means a water well which is no longer in use for the purpose for which it was intended or which is in such a state of disrepair that continued use for the purpose of accessing groundwater is unsafe or impractical.
- 2) **COMMUNITY PUBLIC 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.
- 3) **HEALTH AUTHORITY** means that person or persons designated by the Woodford County Board of Health to enforce this Ordinance.
- 4) **HEALTH DEPARTMENT** means the Woodford County Department of Public Health, including its duly authorized representatives.

- 5) **HEALTH DEPARTMENT ADMINISTRATOR** means the individual selected by the Woodford County Board of Health to administer and enforce the policies, ordinances, resolutions, and laws of said Board.
- 6) **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 nonresidents, or regularly serves 25 or more non resident individuals daily for at least 60 days per year.
- 7) **POTABLE WATER** means water that is suitable for human consumption and which meets public health standards for drinking water.
- 8) **PRIVATE WATER SYSTEM** means any supply which provides water for drinking, culinary, and sanitary purposes and serves an owner-occupied single family dwelling.
- 9) **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.
- 10) **WATER WELL** means any excavation that is drilled, cored, bored, washed, driven, dug, jetted or otherwise constructed when the intended use is for the location, diversion, artificial recharge, or acquisition of groundwater.
- 11) **FOOD GRADE PROPYLENE GLYCOL** a coolant added to a closed loop well system which will allow the reduction of setbacks between the closed loop well system and a water well on an adjacent property or between the closed loop well system and a water well on the same owner's property. The product shall be labeled "Propylene Glycol USP" or equivalent. Any product not containing the letters "USP" will not be acceptable for this use, unless vendor documentation is produced to demonstrate equivalency.
- 12) **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 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 or body of water loop system.
- 13) **CLOSED LOOP WELL CONTRACTOR** any individual who installs closed loop well systems except a closed loop well system excavator.

- 14) **CLOSED LOOP SYSTEM EXCAVATOR** any individual who excavates for the purpose of installing a closed loop well system. This includes but is not limited to drilling, boring, jetting, or digging.

**Section 3: 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, which publications are incorporated herein and adopted by reference as part of this Ordinance.

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

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

Per conversation with Administrator Laurie Schierer of the Woodford County Health Department on 11/20/14--The above items #1 - #6 will be available at the Woodford County Health Department and NOT in the Woodford County Clerk's Office.

**Section 4: PUBLIC WATER SUPPLY USE**

In those locations where a public water supply is reasonable available, 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 300 feet of the public water supply to which connection is practical and is permitted by the controlling authority for said water supply.

**Section 5: 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 backsiphonage 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 20 pounds per square inch shall be maintained throughout each potable water supply.

#### **Section 5.1: 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.

#### **Section 5.2: CISTERNS**

Cisterns shall not be used as a potable water supply except where adequate groundwater resources are not available. Cistern water shall receive treatment 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.

#### **Section 5.3: PRE-EXISTING WATER WELLS**

All water wells constructed prior to the effective date of this Ordinance shall comply with any provisions of this Ordinance deemed necessary by the Health Authority to protect groundwater and the public health.

#### **Section 6: ABANDONED WELLS**

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 make the determination as to whether a water well is considered abandoned, based upon the definition of an "abandoned well" and the facts in each particular case.

## **Section 7: PERMIT REQUIRED**

No water well or closed loop well, shall be constructed, deepened, or modified in Woodford County except in accordance with this Ordinance, and it shall be unlawful to proceed with such work unless a permit therefore shall have first been obtained from the Health Authority.

### **Section 7.1: APPLICATION FOR PERMIT**

All applications for permits granted under the provisions of this Ordinance shall be made in writing and in such form as prescribed by the Health Authority. Sufficient data shall be included to allow review and to determine whether the proposed application for permit meets the requirements of this Ordinance.

### **Section 7.2: ISSUANCE OF PERMIT**

Upon submission of the application for permit, including the plans and specifications of the proposed water well, or closed loop 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 determining 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 Ordinance. If the Health Authority, upon review of said application, finds that such application meets the requirements of this Ordinance, and upon payment of the required fee, a permit shall be issued to the applicant. Such permit 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 to be constructed.

### **Section 7.3: PROPERTY OWNER'S RESPONSIBILITY**

It shall be the responsibility of the property owner to obtain a permit before any construction, deepening, or modification of a water well or closed loop well has begun. Failure of the property owner to obtain said permit before construction, deepening or modification of a water well or closed loop well has begun, shall constitute a violation of this Ordinance, and penalty action may be taken.

### **Section 7.4: WATER WELL AND/OR PUMP INSTALLATION CONTRACTOR'S RESPONSIBILITY**

It shall be the responsibility of the Water Well and/or Pump Installation Contractor to insure that a permit has been issued before any construction, deepening, or modification of a water well has begun and to follow the conditions of said permit. Failure of the Water Well and/or Pump Installation Contractor to insure said permit has been issued or to violate the conditions of said permit shall constitute a violation of this Ordinance, and penalty action may be taken.

#### **Section 7.4.1: CLOSED LOOP WELL CONTRACTOR AND OR EXCAVATOR RESPONSIBILITY**

It shall be the responsibility of the closed loop well contractor and/or excavator to insure that a permit has been issued before any construction, deepening, or modification of a closed loop well has begun and to follow the conditions of said permit. Failure of the closed loop well contractor and/or excavator to insure said permit has been issued or to violate the conditions of said permit shall constitute a violation of this Ordinance, and penalty action may be taken.

### **Section 7.5: PERMIT VALIDITY**

A permit to construct, deepen, or modify a water well or a closed loop 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.

#### **Section 7.6: EXCEPTIONS**

A permit to construct, deepen, or modify a water well in Woodford County shall not be required by the Health Authority when such water well does or will serve a community public water system or function as a monitoring well. A permit shall not be issued for a horizontal or body of water closed loop well systems.

#### **Section 7.7: PERMIT AND INSPECTION FEE'S**

Fees are located on addendum 1 of this ordinance. The fee must accompany the permit application.

#### **Section 8: INSPECTIONS**

The Health Authority shall have the authority to enter any property at any reasonable time for inspection purposes 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 Authority free access to the property for inspection purposes to determine compliance with the provisions of this ordinance. The Woodford County Health Department shall be notified by telephone or writing at least 48 hours prior to the construction of any water well or closed loop well system.

#### **Section 8.1: INSPECTION OF COMPLETED WORK**

A water well shall not be placed into operation until the installation of the water well and its components has been inspected to verify compliance with applicable provisions of this Ordinance and written approval issued by the Health Authority. 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. If the Health Authority, upon inspection of the specified installation or component thereof, finds that such work meets the provisions of this Ordinance, the Health Authority shall approve such work, complete the permit form, and authorize operation of the water well. However, compliance with Section 9 shall be obtained prior to utilizing the water system for drinking and culinary purposes. The

closed loop well shall be inspected by the Health Authority. The inspection shall include construction of the vertical or directional borehole and grouting. The closed loop well shall be grouted from the bottom of the borehole to the bottom of the header-piping trench and, in the case of directional bores, the surface of the ground.

#### **Section 8.2: NOTIFICATION FOR INSPECTION**

The Health Authority shall be notified at least two (2) days prior to commencing the construction, deepening, or modification of a water well or closed loop well, which a permit has been issued. The Health Authority shall also be notified at least two (2) days prior to completion of the following installations at which time a date for inspection will be arranged:

- a) the construction, deepening, or modification of a water well under permit;
- b) the installation of the pitless adapter, pump, and pressure tank when part of Section 8.2a;
- c) the sealing of an abandoned water well or closed loop well.

It shall be the responsibility of the Water Well and/or Pump Installation Contractor to notify the Health Authority as required.

#### **Section 8.3: SUSPENSION OF PERMIT**

Upon inspection by the Health Authority, if it is found that any provisions of this Ordinance 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 compliance with the provisions of this Ordinance and the permit. If such changes are not made within a period of time specified by the Health Authority, said permit shall be suspended, and it shall be unlawful to place the water well into operation.



## **Section 9:      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 50-100 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. A certified laboratory shall mean a laboratory operated by the Illinois Department of Public Health or a laboratory given certification approval by the aforementioned agency for the processing of official samples of water.

### **Section 9.1:    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 up for repair, replacement, or extension of the water distribution system. A copy of the water sample analysis report shall be filed with the Health Department.

## **Section 10:    WATER WELL/PUMP INSTALLATION CONTRACTORS**

No person shall construct a water well, install or repair a water well pump or equipment, or engage in the occupation of a water well contractor or water well pump installation contractor within Woodford County unless such person is appropriately licensed by the State of Illinois.

#### **Section 10.1: EXCEPTIONS**

A resident property owner may personally work on his own single family residence, but this does not apply to builders of speculative homes. However, such exemption does not relieve the property owner from obtaining a permit to install a water well or closed loop well, and from complying with the other requirements of this Ordinance.

#### **Section 10.2: USE OF FOOD GRADE PROPYLENE GLYCOL AS COOLANT**

If food grade propylene glycol is used as a coolant, the following setbacks may be reduced. The 200 foot setback to a water well (not the same owner) may be a minimum of 75 feet. The 75 foot setback to a water well (same owner) may be a minimum of 25 feet. The property owner and closed loop well contractor/excavator shall provide documentation in writing to the Woodford County Health Department that food grade propylene glycol will be used as a coolant before the closed loop well system permit is approved.

#### **Section 11: HEARING BEFORE THE HEALTH DEPARTMENT ADMINISTRATOR**

Any person affected by any order or notice issued by the Health Department in connection with the enforcement of this Ordinance, may file in the office of the Health Department a written request for a hearing before the Health Department Administrator. The Health Department Administrator shall hold a hearing at a time and place designated by him/her within thirty (30) days from the date on which the written request was filed. The petitioner for the hearing shall be notified of the time and place of the hearing not less than five (5) days prior to the date on which hearing is to be held. As a result of the hearing, the Health Department Administrator shall render a decision within ten (10) days after the date of the hearing which shall be reduced to writing and sent to the petitioner. Any person aggrieved by the decision of the Health Department Administrator may seek relief through a hearing before the Board of Health.

#### **Section 12: HEARING BEFORE THE BOARD OF HEALTH**

Any person aggrieved by the decision of the Health Department Administrator, rendered as a result of a hearing held in accordance with Section 11, may file in the office of the Health Department a written request for a hearing before the Board of Health. The hearing shall be held at a time and place designated by the Secretary of the Board of Health within thirty (30) days of the date on which the written request was filed or the next available meeting date. The petitioner for the hearing shall be notified of the time and place of the hearing not less than five (5) days prior to the date on which the hearing is to be held. As a result of the hearing, the Board of Health shall sustain, modify, or rescind the decision of the Health Department Administrator. The Board of Health shall render a decision within ten (10) days after the date of the hearing which shall be reduced to writing and sent to the petitioner.

#### **Section 13: PENALTIES**

Any person who violates any provision of this Ordinance, which violation constitutes a violation of any rule, regulation, order or determination of the Department of Public Health of the State of Illinois, adopted or made by said Department pursuant to said Act, shall be guilty of a Class A misdemeanor and fined not less than \$100. Any other violation of this Ordinance shall be deemed a Petty Offense. Each day's violation constitutes a separate offense.

#### **Section 14: INJUNCTIONS**

The State's Attorney of Woodford County may bring action for an injunction to restrain any violation of this Ordinance or to enjoin the operations of any such establishment causing such violation.

#### **Section 15: CONFLICT OF ORDINANCE**

In any case where a provision of this Ordinance is found to be in conflict with a provision of any zoning, building, fire, safety, or health ordinance, or code of Woodford County existing on the effective date of this Ordinance, the provision

which, in the judgment of the Health Authority, establishes the higher standard for the promotion and protection of the health and safety of the people shall be deemed to prevail, and such other ordinance or codes are hereby declared to be repealed to the extent that they may be found in conflict with this Ordinance.

**Section 16: SEPARABILITY OF PROVISIONS**

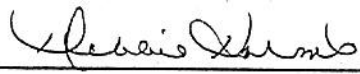
If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall remain in full force and effect and, to this end, the provision of this Ordinance are hereby declared to be severable.

**EFFECTIVE DATE:**

This Ordinance shall be in full force and effective immediately upon its adoption as provided by law.

The above and foregoing Ordinance was adopted on the 18 day of November, 2014.

  
Chairman of the County Board of the County of Woodford, Illinois

  
Clerk of the County Board of the County of Woodford, Illinois

Clerk of the County Board of the County of Woodford, Illinois

**WOODFORD COUNTY WATER WELL  
& CLOSED LOOP WELL ORDINANCE**

**ADDENDUM 1**

In accordance with the applicable provisions of this ordinance, the following fees pertain:

- Water well construction permit (\$ 100.00)
- Closed loop well construction permit (\$ 200.00 for 1-10 wells); \$ 10.00 per each additional borehole
- Water well or closed loop well sealing (\$ 50.00 per each well)