

TITLE III - PUBLIC SERVICES
WATER SERVICE SYSTEMCHAPTER 93
PRIVATE WELLS

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93.01 SCOPE. The provisions of this chapter shall apply to all private water wells located or to be constructed within the City of Vinton, Iowa, including but not limited to, new construction and modification of existing wells.

93.02 PERMIT REQUIRED. No person shall construct a private well in the City of Vinton, Iowa or own/use a well constructed after the effective date of this provision, unless a permit has been issued for the well by the Vinton City Coordinator. This permit shall be in addition to any permits required by the State or County. This requirement shall not apply to monitoring wells used for soil and groundwater investigation.

93.03 REGISTRATION OF PRE-EXISTING WELLS. Any person who own property in the City of Vinton, Iowa, which has a well, other than a monitoring well, which was constructed prior to the effective date of the ordinance codified by this chapter, shall register said well with the City. Registration forms for this may be obtained from the Water Department or from the City Clerk's office. There will be no fee charged for the registration of a pre-existing well.

93.04 PERMIT PROCESS.

1. Any person desiring a well permit shall make application to the City of Vinton on the form prescribed by him/her. The City Coordinator shall determine the necessary information, date and testing required for the issuance of the permit.
2. In determining whether to issue a permit or not, the City Coordinator shall consider the availability of public water to serve the real property, building or facility, the estimated amount of water to be consumed, possible contamination of the water, and the purpose for which the water will be used. The applicant shall be required to have an environmental assessment completed to determine if there are known sources of contamination within 500 feet of the proposed site.

3. If the property, building or facility to be served is located within 200 feet of public water, the City Coordinator shall automatically deny the permit, and the applicant shall be required to use the public water system.
4. If the City Coordinator determines that the water is in an area of contamination or is otherwise unfit, he/she may deny the permit or make such limitations as to the use of the water from said private well as are necessary to protect life and property. In determining what the actual area of contamination is, the City Coordinator shall consider current levels and areas of contamination, as well as where the contamination might reasonably be expected to expand to the foreseeable future.
5. The application shall not be deemed complete until all information, data and testing results required by the City Coordinator have been submitted to him/her for consideration and required fee paid in full.
6. The City Coordinator shall rule upon the permit application within 30 working days of the submitting of the completed application. The City Coordinator may, upon good cause, extend said period for approval of the application an additional 30 working days by issuing a written notice to the applicant. Any application which is not acted upon in a timely manner by the City Coordinator shall be deemed to have been denied upon the expiration of time provided by this section.
7. The applicant may appeal the decision of the City Coordinator to the Vinton City Council by filing a written notice of appeal with the City Coordinator within ten (10) business days of the decision. The Vinton City Council shall meet to determine the appeal within 45 days of the date the appeal is filed.
8. The applicant shall pay an application fee in the amount set by resolution of Council.
9. All required testing and collection of information and data shall be at the applicant's expense.

93.05 PENALTY. Any person found guilty of a violation of any of the provisions of this chapter shall, upon conviction, be subject to the penalty provisions of Section 8.03 of the Vinton City Code. Each day that a violation is allowed to continue shall constitute a separate and distinct violation. At the discretion of the City Attorney, any violation of the provisions of this chapter may be pursued as a municipal infraction according to the terms of Chapter 8 in lieu of criminal prosecution.

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