

ORDINANCE # 3-2012

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF GRISWOLD, IOWA, 2010, BY AMENDING SECTION 6-3-5 PERTAINING TO THE WATER SYSTEM.

BE IT ENACTED by the City Council of the City of Griswold, Iowa:

SECTION 1. SECTION AMENDED. Section 6-3-5 of the Code of Ordinances of the City of Griswold, Iowa, 2010, is hereby repealed and the following adopted in lieu thereof:

6-3-5. MANDATORY CONNECTIONS.

All residences and business establishments within the City limits intended or used for human habitation, occupancy or use shall be connected to the public water supply if it is reasonably **accessible** and if the building is not furnished with pure and wholesome water from some other source. **No private or non-public water well or water supply system shall be installed or constructed where a public water supply system is reasonably accessible.**

The determination of reasonably accessible shall be made by the City Manager. In the event the City Manager determines the property is not reasonably accessible to a public water supply system, then a variance from this Ordinance may be obtained from the City Council if a well construction permit is obtained pursuant to state law regulations or county ordinance.

The City Council may grant a permit to a landowner to construct a private water well, providing the conditions of this Section are met. Each of the following conditions must be met for issuance of a permit for construction and operation of a private water well:

1. The well and pump installation meet the requirements of applicable state law and county ordinances.
2. The landowner or the landowner's agent shall first obtain a well construction permit issued by the Iowa Department of Natural Resources, or by the County Board of Supervisors or the Board's designee authorized to issue permits, pursuant to state law or administrative rules.
3. Adequate showing that the well construction and pump installation will produce bacteriologically safe water.
4. Adequate showing that the well construction and pump installation will produce water that will not be contaminated by hazardous substances.
5. There are no cross-connections between the well and pump installation and the public water supply systems. No fixture shall be served both by the well and by the municipal public water supply system.
6. The contractor engaged by the landowner to construct the well and install the pump shall first register with the Iowa Department of Natural Resources as required by departmental rules.

7. The proposed use of the well and pump installation can be justified as being necessary in addition to water provided by the municipal public water supply system or as useful in conserving water.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 4. WHEN EFFECTIVE. This ordinance shall be in full force and effect upon its passage and publication, as required by law.

PASSED and APPROVED by the City Council of the City of Griswold on the ___ day of _____, 2012.

Lee Wyman, Mayor

Marylynne Dickinson, City Clerk