

CHAPTER 93

PRIVATE WATER WELLS

93.01 Scope
93.02 Permit Required

93.03 Registration of Pre-Existing Wells
93.04 Permit Process

93.01 SCOPE. The provisions of this chapter shall apply to all private water wells located or to be constructed within the City of Reinbeck, 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 or own or use a well constructed after the effective date of this provision, unless the City Administrator has issued a permit for the well. 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 owns property in the City 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 Administrator'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 on the form prescribed by the City. The City Administrator 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 Administrator 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 Administrator shall automatically deny the permit, and the applicant shall be required to use the public water system.
4. If the City Administrator determines that the water is in an area of contamination or is otherwise unfit, said official 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 Administrator 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 Administrator have been submitted to said official for consideration and required fee is paid in full.

6. The City Administrator shall rule upon the permit application within 30 working days of the submitting of the completed application. The City Administrator 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 that is not acted upon in a timely manner by the City Administrator 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 Administrator to the City Council by filing a written notice of appeal with the City Administrator within ten (10) business days of the decision. The 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 the Council.

9. All required testing and collection of information and data shall be at the applicant's expense.