

Amendment to Chapter 113: Potable Water Supply Ordinance

Sect. 01 Adoption By Reference – In addition to those provisions set forth herein, this Ordinance hereby adopts by reference the current edition and subsequent revisions of the following Illinois Department of Public Health codes:

- a. “Illinois Water Well Construction Code.” 415 ILCS 30/1 et seq. as embodied in 77 Ill. Admin. Code 920.10 et seq., and any subsequent amendments or revisions thereto
- b. “Illinois Water Well Pump Installation Code.” 415 ILCS 35/1-35/10
- c. “Public Area Sanitary Practice Code.” 20 ILCS 2305/2-2305/8.1
- d. “Drinking Water Systems Code.” 77 Ill. Adm. Code 900
- e. “Surface Water Treatment Code.” 77 Ill. Adm. Code 930

Sect. 02 Definitions-

“Borehole” also known as a “drill hole” means an excavation that is drilled, cored, driven, dug or otherwise constructed that penetrates an aquifer or that may degrade the quality of the aquifer.

“Closed Loop Well” means 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 bore hole, piping in the bore hole, heat exchange fluid, and the grouting of the bore hole and does not include the piping and appurtenances used in any other capacity. "Closed loop well" does not include any horizontal closed loop well systems where grouting is not necessary by law or standard industry practice.

“Closed Loop Heat PumpWell” means the same as “Closed Loop Well”.

“Closed Loop Well Contractor” means any person who installs closed loop wells for another person. “Closed loop well contractor” does not include the employee of a closed loop contractor. (Section 3(j) of the Act)

“Closed Loop Well System” means a clustered group of closed loop wells that serve the same facility.

“Department” means the Illinois Department of Public Health

“Horizontal Closed Loop Well Systems” means any open cut excavation where a watertight loop of pipe is buried outside of a building foundation that is intended to re-circulate a liquid solution through a heat exchanger.

“Thermal Grout” is a Department approved grout specifically developed to enhance the heat transfer in a closed loop well. Department approved closed loop well grouts shall have permeability no greater than 1×10^{-7} centimeters per second and all bentonite products shall comply with National Sanitation Foundation (NSF) International requirements. The Department will maintain a list of approved closed loop well grouts on its website at www.idph.org.

Sect. 40 Permit Required

- a. No water well shall be constructed or deepened except in accordance with this Ordinance, and it shall be unlawful to proceed with such work unless a permit has first been obtained from the Health Department.

- b. A non-community water system shall not be constructed without first obtaining a permit from the Illinois Department of Public Health.
- c. No closed loop well shall be constructed, modified, or sealed except in accordance with these regulations, and, it shall be unlawful to proceed with the construction, modification, sealing of a closed loop well without obtaining a permit from the Health Department.
- d. Every closed loop well application shall be signed by the registered closed loop well contractor.
- e. The application shall be accompanied by a drawing indicating lot size, the location of property lines, distance from proposed closed loop well system construction to water wells, septic tanks, abandoned wells, seepage fields, sewers, and all other sources of contamination, if they are within 200 feet of a closed loop well.

Sect. 41 Permit Fees

- a. There shall be a non-refundable fee of \$100.00 charged for each water well permit.
- b. There shall be a non-refundable fee of \$100.00 charged for up to 5 boreholes with \$20.00 for each borehole thereafter for each closed loop well.

Sect. 42 Permit Issuance

It shall be the responsibility of the property owner, well contractor, or the closed loop well contractor, to obtain a permit before any construction or deepening of water well commences; and is unlawful for a closed loop well contractor to proceed with construction, modification, or sealing of a closed loop well without obtaining a permit. Failure to obtain a permit before commencement shall constitute a violation of this Ordinance. It shall be the responsibility of the Water Well Contractor to insure that a permit has been issued before any construction or deepening of water well commences and to follow the conditions of said permit. Failure of the Water Well Contractor to insure said permit has been issued and violation of the conditions of said permit shall constitute separate and distinct violations of this Ordinance.

Sect. 50 Licensing of Water Well Contractors, Pump Installers, and Closed Loop Well Contractors

All individuals who construct water wells and install or repair well pumps shall be licensed with the Illinois Department of Public Health in accordance with the "Water Well and Pump Installation Contractor's License Act," Chapter III, Paragraph 7101 et seq., as revised.

All individuals who install closed loop wells in Madison County shall possess a valid certificate of registration issued by the Illinois Department of Public Health.

Sect. 60 Well Inspections

The Health Department shall be notified at least 48 hours prior to the commencement of any work to construct or deepen water well for which a permit has been issued, or to seal water well, boring, or monitoring well or to construct, modify, or seal a closed loop well. The Health Officer shall be allowed access to any property for the purpose of performing inspection of water well construction or to inspect the sealing of wells or to investigate abandoned wells. It shall be the responsibility of the Water Well Contractor or Registered Closed Loop Well Contractor to notify the Health Department as required.