

CHAPTER 18. HEALTH

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ARTICLE 18-4. PRIVATE WATER SUPPLY ORDINANCE

SECTION 18-401. GENERAL PROVISIONS

Section 18-401.1. Title.

This Ordinance shall be known and may be cited as the “Private Water Supply Ordinance.”

Section 18-401.2. Authority.

This Ordinance is promulgated under the authority provided by the 415 Illinois Compiled Statutes 30 et seq.

Section 18-401.3. Purpose.

It is hereby declared that there exists within the County of DuPage, State of Illinois, the need for a system of controls over the design, construction, materials, operation, and maintenance of private water supply systems. Therefore, the purpose of this Ordinance is to protect, promote, and preserve the public health, safety and general welfare by providing those controls.

Section 18-401.4. Applicability.

After the effective date of adoption of this Ordinance, all private water supply systems as defined herein shall only be constructed or modified in accordance with the provisions of this Ordinance.

Section 18-401.5. Owner’s Responsibility.

The owner of each building in which people live, work, or assemble shall provide a potable water supply sufficient in quantity and pressure to serve adequately all plumbing fixtures therein.

Section 18-401.6. Building Occupancy.

No person shall occupy or permit occupancy of any building not in compliance with Section 18-401.5. of this Ordinance.

Section 18-401.7. Maintenance.

The owner of each private water supply system shall maintain all components of that system so that they function properly and are in good repair.

Section 18-401.8. Public Water Supplies.

1. Construction of a water well shall not be permitted on property where a community water supply is reasonably available except that permits for supplemental wells may be issued as provided in Section 18-404.12. of this Ordinance. If a community water supply is not reasonably available, then every residence, business building, or enterprise shall have its own private water supply in conformance with the provisions set forth in this Ordinance.
2. That portion of the glacial aquifer underlying the area of the County described in Table 1 may contain substances which might make its use as a source of water supply a detriment to the public health, safety or welfare. When a community water supply is, or becomes, reasonably available to any property described in Table 1, the owner of every residence,

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business building or enterprise on such property shall make or cause to be made connection to such community water supply, and all groundwater wells on such property for purposes other than groundwater monitoring or remediation shall be abandoned and sealed in compliance with Section 18-404.9. of this Ordinance, within three (3) months of the date of such community water supply being , or becoming, reasonably available thereto.

TABLE 1

AREA OF REQUIRED CONNECTION TO REASONABLY AVAILABLE COMMUNITY PUBLIC WATER SUPPLY AND ABANDONMENT OF GROUNDWATER WELLS FOR PURPOSES OTHER THAN GROUNDWATER MONITORING OR REMEDIATION

PART I

Lots 2,3,4,5,6,7,8,9,10, and 12 in BLOCK 6 OF McLeran and Blair's Addition; and

Lots K,L,M,N,O,P,Q, and R in Block 6 of Westshire Gardens 1st Addition; and

Lots 1,2,3,4,5,6,7, and 8 in Block 7 and Lots 1,2,3,4,5,6,7,8,9,10,11, and 12 in Block 12 of Westshire Gardens, all in the Southeast Quarter of Section 9, Township 39 North, Range 9 East of the Third Principal Meridian, in DuPage County, Illinois.

PART II

Lots 7,8,28,29,30,32,33,34,35,36,37,38,39, and the portions of Lots 9,10, and 11 lying North of Kress Creek , in West Park; and

Lots 1 and 2 in George D. DeBeau's Plat of Survey; and

Lots 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18,19,20,21,22,23,24,25,26, 27,28,29,30,31,32,33,34,35,36,37,38,39,40,41,42.and 43 in West-Win Meadows;

Lots 44,45,46,47,48,49,50,51,52,53,54,55,56,57,58,59,60,61,62,63,64,65,66,67,68,69, 70,71,72,73,74,75,76,77,78,79,80,81,82,83,84,85,86,87, and 88 in West-Win Meadows 2nd Unit all in the Northeast and Southeast Quarters of Section 16, Township 39 North, Range 9 East of the Third Principal Meridian, in DuPage County, Illinois.

PART III

The boundary for the Downers Grove Water Improvements Area is described as follows:

Beginning at a point, said point being the intersection of the centerline of 63rd Street and Dunham Road as now platted, in the West Half of the Southeast Quarter of Section 18, Township 38 North, Range 11, East of the Third Principal Meridian, for the point of beginning; thence Westerly along the centerline of 63rd Street as now platted, to a point on the Westerly line of Downers Grove Park a subdivision in Section 13, Township 38 North, Range 10, East of the Third Principal Meridian recorded 3-23-1927 as Document # 232126; thence Northerly along said Westerly line of Downers Grove Park to the Southeast corner of the following described property (That part of the Southwest Quarter of Section 13, Township 38 North, Range 10, East of the Third Principal Meridian, described as follows to-wit: Commencing at the Southeast corner of the Southwest Quarter of Section 13: which is also the center line of 63rd Street; thence West

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along the South line of said Southwest Quarter, a distance of 213.84 Feet, said point being on the center line of 63rd Street, and the West line of Downers Grove Park subdivision extended; thence North 1 Degree 00 Minutes East along the West Line of subdivision known as Downers Grove Park subdivision, a distance of 614.86 Feet for the place of beginning; thence continuing North on said line, a distance of 99.64 Feet; thence North 89 Degrees 00 Minutes West a distance of 821.5 Feet to a point on the Center Line of Hobson Road, as now platted; thence South 47 Degrees 43 Minutes West, along the Center Line of Hobson Road, as now platted, a distance of 145.33 Feet; thence South 89 Degrees, 00 Minutes East a distance of 927.4 Feet to the place of beginning, in DuPage County, Illinois, commonly known as 08-13-315-001); thence Westerly along the Southerly Line of the previously described property to a point, said point on the Southerly line of Hobson Road, as now platted; thence Northeasterly along the Southerly line of Hobson Road, as now platted, to the Westerly Line of Janes Ave, as now platted; thence Northerly along the extended Westerly Line of Janes Avenue, as now platted, to the Northerly line of Hobson Road, as now platted; thence Southwesterly along the Northerly Line of Hobson Road as now platted to the Westerly Line of Downers Grove Park a subdivision in Section 13, Township 38 North, Range 10, East of the Third Principal Meridian recorded 3-23-1927 as Document # 232126, thence Northerly along the Westerly Line of Downers Grove Park to its Northwest corner: also known as the centerline of 59th Street, as now platted; thence Westerly along the centerline and centerline extended of 59th Street, as now platted to a point on the Easterly Line of I355, as now platted; thence Northerly along the Easterly Line of I355, as now platted to a point on the Southerly Line of Maple Avenue, as now platted; thence Easterly along the Southerly Line of Maple Avenue to the Southwest corner of Walnut Avenue and Maple Avenue, as now platted; thence in a Northeasterly direction to a point, said point being the Northeast corner of Walnut Avenue and Maple Avenue, as now platted; thence Northerly along the Easterly Line of Walnut Avenue, as now platted, to the intersection of the Southeasterly corner of Walnut Avenue and Elmore Avenue, as now platted; thence Easterly along the Southerly line of Elmore Avenue and Elmore Avenue as it turns to the North to the intersection of the Southerly line of Elmore Avenue and Inverness Avenue, as now platted; thence Easterly along the Southerly Line of Inverness Avenue, as now platted, and said southerly line extended to a point on the Easterly line of Belmont Road, as now platted; thence Northerly along the easterly line of Belmont Road, as now platted to the Southerly line of Wisconsin Avenue, as now platted; thence Easterly along the Southerly line of Wisconsin Avenue as now platted to the Easterly line of Arthur T. Mc Intosh's Belmont Farms Resubdivision of Lots 13 & 14, a resubdivision in the Southeast Quarter of Section 12, Township 38 North, Range 10, East of the Third Principal Meridian, recorded on 7-9-1925 as Document # 195882; thence Northerly along the Easterly line and said Easterly Line extended of Arthur T. Mc Intosh's Belmont Farms Resubdivision of Lots 13 & 14 to the Northwest corner of Lot 13 in Arthur T. Mc Intosh and Company's Belmont Farms a subdivision in Section 12, Township 38 North, Range 10, East of the Third Principal Meridian recorded on 1-1-1950 as document # 134268; thence Easterly along a line to the Southwest Corner of Lot 14 in Bending Oaks North, a subdivision in Section 12, Township 38 North, Range 10, and Section 7, Township 38 North, Range 11, East of the Third Principal Meridian, recorded on 6-28-1988 as Document # 068661, thence Northerly along the Westerly Line of Bending Oaks North and its Westerly Line of Lot 14 to the Northwest Corner of said Lot 14; thence Easterly along the Northerly line of Bending Oaks North to the Southwest corner of Lot 55 in Arthur T. Mc Intosh and Company's Highwoods Addition to Belmont a subdivision in Section 12, Township 38 North, Range 10, and Section 7, Township 38 North, Range 11, East of the Third Principal Meridian recorded on 3-10-1924 as Document # 175033, thence Easterly along the Southerly Line of Lot 55 in Arthur T. Mc Intosh and Company's Highwoods Addition to Belmont to the Southeast corner of Lot 55, thence Easterly from the Southeast corner of Lot 55 to the Southwest corner of Lot 24 in Marshall Field Woodland Homes 1st Addition. A subdivision in Section 7, Township 38 North, Range 11, East of the Third Principal Meridian, Recorded on 10-2-1920 as Document # 144597; thence Easterly along the Southerly line of Lot 24 and Lot 6 in Marshall Field Woodland Homes 1st Addition to the Southeast corner of Lot 6 in Marshall Field

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Woodland Homes 1st Addition; thence Southerly along the Easterly Line of Marshall Field Woodland Homes 1st Addition to a point on the Southerly line of the Southwest Quarter of Section 7, Township 38 North, Range 11, East of the Third Principal Meridian; thence Easterly along the Southerly line of the Southwest Quarter of Section 7, Township 38 North, Range 11 and the Southeast Quarter of Section 7, Township 38 North, Range 11, to a point, said point also known as the Northwest corner of Branigar Brothers Downers Grove Farms a subdivision in Sections 17 and 18, Township 38 North, Range 11, East of the Third Principal Meridian recorded on 1-1-1950 as Document # 144285; thence Southerly along said Westerly Line and Westerly Line extended of Branigar Brothers Downers Grove Farms, said Westerly Line also known as the centerline of Dunham Road to the centerline intersection of Dunham Road, as now platted and 63rd Street as now platted for termination of the boundary for the Downers Grove Water Improvements Area, in DuPage County, Illinois for.

The Downers Grove Water Improvements Area encompasses parts of the following sections:

- Lisle Township 08 Section 12 Southwest Township 38 North, Range 10, East
- Lisle Township 08 Section 12 Southeast Township 38 North, Range 10, East
- Lisle Township 08 Section 13 Northwest Township 38 North, Range 10, East
- Lisle Township 08 Section 13 Northeast Township 38 North, Range 10, East
- Lisle Township 08 Section 13 Southwest Township 38 North, Range 10, East
- Lisle Township 08 Section 13 Southeast Township 38 North, Range 10, East
- Lisle Township 08 Section 14 Northeast Township 38 North, Range 10, East

Section 18-401.9. Individual Service.

Each residence, business building, or enterprise shall be served by its own separate water well located on the property whereon the residence, business, or enterprise is located except where the residence, building, or enterprise is connected to a community water supply.

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SECTION 18-402. DEFINITIONS

Section 18-402.1. Definitions of Department.

For the purposes of this Ordinance, the words and phrases used herein shall have the meaning and interpretation as set forth in this section and section 18-402.2. Any other words and phrases not defined in this section or elsewhere in Ordinance shall have their meaning customarily assigned to them.

1. “DEPARTMENT” means the DuPage County Health Department.
2. In Section 920.10 (Definitions) of the Illinois Water Well Construction Code and Section 925.10 (Definitions) of the Illinois Water Well Pump Installation Code, the definition for “Department” shall mean the DuPage County Health Department.
3. In Section 920.40f (Pitless Well Adapters) of the Illinois Water Well Construction Code and Section 925.40 (Pump Installation) of the Illinois Water Well Pump Installation Code, the word “Department” shall be changed to read “The Illinois Department of Public Health.”

Section 18-402.2. Other Terms Defined.

1. “APPLICANT” means the property owner as defined herein or an authorized agent.
2. “DIRECTOR” means the Executive Director of the DuPage County Health Department or their designee.
3. “FEE EXEMPT” means the license or permit holder has the status of being: a) a non-governmental organization that has Illinois not-for-profit status that does not charge for services b) a temporary event operator that has Illinois not-for-profit status that uses the event as a fundraising activity.
4. “MODIFICATION” means any change or alteration of a water well structure. This includes, but is not limited to, deepening of a well, installation of a pitless adapter, and replacing or repairing a casing or well screen.
5. “OWNER” means the person in whose name legal title has been recorded.
6. “PERMIT FEE” means a fee charged for the issuance of a permit by the DuPage County Health Department.
7. “PERSON” means any individual, group of individuals, association, trust, partnership, corporation, person doing business under an assumed name, or any other entity, government or private.
8. “POTABLE WATER” means water that is bacteriologically and chemically safe for human consumption.
9. “REASONABLY AVAILABLE” means that an Illinois Environmental Protection Agency-approved community water supply shall be reasonably available for connection if a) there are no local ordinances or restrictions preventing a property owner from connection, b) the public water supply is located in a public right-of-way or easement

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contiguous to the property and further provided that the water main can be reached without tunneling or boring for a distance of more than forty (40) feet under a roadway, building, or flowing stream, c) the property owner is not required to annex the property or sign a pre-annexation in order to obtain connection to a community water supply.

10. “SAFE DESIGN” means a design or construction by virtue of which any lack of water tightness due to defect in material, manufacture, or installation, or to deterioration or damage to the device or to the buried water line following installation, will result in the flow of water outward from the water supply under the pressure of the water system.
11. “SUPPLEMENTAL WELL” means a water well which has been constructed for a use other than providing potable water for drinking, culinary, and sanitation purposes. Such wells include, but are not limited to, sprinkling wells, irrigation wells, heat pump wells, pond leveling wells, livestock watering wells, and fire protection wells. Such wells shall provide water that is chemically and bacteriologically safe for human consumption.
12. “WELL” means any excavation, regardless of design or method of construction, created for any of the following purposes: removing groundwater from or recharging water into an aquifer; determining the quantity, quality, level, or movement of groundwater in or the stratigraphy of an aquifer; and removing or exchanging heat from groundwater.
13. “WELL CAP” means that portion of the pitless adapter used to enclose the atmospheric termination of the casing. A well cap shall be of splash and drip-proof design. The cover shall be self-draining and overlap the top of the casing extension with a downward flange. There shall be no openings through the seal, except for a factory-installed screened vent, within the area that falls over the outer perimeter of the casing.

The well cap shall:

- a. Exclude contamination from surface water and drainage from entering the water supply.
- b. Be secured in position and reasonably tamper-proof.
- c. Be removable with tools only.
- d. Be resistant to environmental factors, including impact and weathering effects.
- e. Be watertight.

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SECTION 18-403. ADOPTION OF THE ILLINOIS WATER WELL CONSTRUCTION CODE AND THE ILLINOIS PUMP INSTALLATION CODE

Section 18-403.1. Water Well Code.

The Illinois Water Well Construction Code, 1998, and the Illinois Water Well Pump Installation Code, 1998, as now enacted or hereafter amended, are adopted and incorporated by reference, except for the following:

1. Section 920.130 (Permit Requirements) of the Illinois Water Well Construction Code shall be deleted in its entirety.
2. Section 920.140 (Administrative Hearings) of the Illinois Water Well Construction Code shall be deleted in its entirety.

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SECTION 18-404. ADDITIONS AND AMENDMENTS

In addition to the provisions adopted by reference in Section 18-403. of this Ordinance, the following additions and amendments shall apply to all private water supply systems in DuPage County.

Section 18-404.1. Water Treatment Devices.

Water treatment devices shall not be installed so that they permit direct feeding of disinfectants or other chemicals into the aquifer through the well casing.

Section 18-404.2. Pitless Well Adapters.

All water contact surfaces on parts in contact with the ground and the point or points of field attachment of the pitless well adapter to the well casing shall be designed and constructed to be watertight, of safe design, and to prevent contamination of the water from external sources (e.g., where a well adapter is utilized, no check valves shall be permitted on the line between the adapter and the distribution system).

Section 18-404.3. Well Pits.

In addition to the other provisions of Section 920.110 b.2. of the Illinois Water Well Construction Code, and Section 925.40 b.2. of the Illinois Water Well Pump Installation Code, it shall be required that existing well pits conform to the additional requirement that they be equipped with an approved floor drain or approved sump with pump to drain the pit. No existing well pit shall be modified to comply with this section. Existing well pits not in compliance shall be eliminated, the floor or one wall of the pit shall be broken or removed and the pit shall be filled with compacted earth.

Section 18-404.4. Wells in Basements.

An existing well located in a basement shall conform to the following conditions:

1. The casing shall extend at least twelve (12) inches above the basement floor or highest known flood elevation; and
2. The well casing shall have a well seal that prevents contaminants from entering the well; and
3. An approved floor drain or approved sump with pump shall be present.

Section 18-404.5. Wells in Driveways.

An existing well located in or adjacent to a driveway shall be protected from vehicular damage by the installation of a collision barrier around the casing.

Section 18-404.6. Wells with Buried Seals.

Existing wells with buried well seals shall be acceptable until removal of the seal for any reason becomes necessary, or until the well no longer meets the requirements set forth in the definition of safe design in Section 18-402.2. (10) of this Ordinance. At that time the well must be brought into compliance with this Ordinance or connection made to a community water supply as herein provided.

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Section 18-404.7. Pressure Tanks.

1. A pressure tank shall be installed on each water system served by a water well when:
 - a. A pressurized pitless adapter is required, and/or
 - b. The demands on the water system are such that normal use without a pressure tank would be detrimental to the working life of the well pump.
2. Pressure tanks shall be sized to:
 - a. Deliver a minimum of ten (10) gallons of water per pressure cycle of the system for each building served, or
 - b. For constant pressure systems, the tank must deliver the volume of water per cycle specified by the well pump manufacturer.
3. The pressure storage tank shall be installed in a location which is not subject to flooding and which is convenient for maintenance or replacement.

Section 18-404.8. Check Valves.

A check valve shall not be permitted on the water line between the well casing and the inlet side of the pressure tank.

Section 18-404.9. Abandoned Well Sealing Requirements.

In addition to the provisions set forth in Section 920.120 of the Illinois Water Well Construction Code, the following requirements regarding the sealing of abandoned wells shall apply:

1. Abandoned wells shall be sealed by removing the pump, drop pipe, and any other obstruction in the well and by placing the sealing materials from the bottom of the well to the surface by methods that will avoid segregation or dilution of material in accordance with the requirements of Section 920.120 of the Illinois Water Well Construction Code.
2. When an obstruction in the well exists:
 - a. All reasonable attempts using industry techniques shall be used to remove the obstruction, and
 - b. If these attempts fail, the well shall be sealed with bentonite from bottom to top.

Section 18-404.10. Water Well Capping.

In addition to the provisions set forth in Section 920.120 a.1. of the Illinois Water Well Construction Code, the following requirements for granting an extension to the thirty (30) day requirement to seal an abandoned well shall apply:

1. When applying for an extension the owner shall submit to the Department the following:
 - a. An "Application for Extension of Well Sealing Deadline" request form (Appendix 2.2.1), filled out completely and signed by the property owner.

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- b. A drawing or plat of survey showing the well location from two adjacent property lines and showing the distances between the well and all potential primary sources, potential secondary sources and potential routes of contamination, as defined in Section 920.50 of the Illinois Water Well Construction Code, within 200 feet of the well site.
 - c. An application for a permit to cap the well.
 2. If the request is approved, the approval will be contingent upon the well being capped by a licensed water well contractor and/or a licensed pump installation contractor as required under permit from this Department. A well may remain capped for up to one (1) year, after which it shall be put back into service under permit from the Department, or sealed.
 3. Capped Well Reactivation
 - a. Reactivating a capped well must be done by a licensed water well contractor and/or licensed pump installation contractor as required and requires a permit from this Department. A drawing showing well location to two adjacent property lines, the location of buildings, driveways, parking lots, and any potential sources of contamination must be submitted with the permit application.

If the well is to be reactivated as a supplemental well, the well shall meet the additional requirements of Section 18-404.11. and Section 18-404.12. of this Ordinance. The exception to this is Section 18-404.12. (B) (3).
 - b. If the well is not approved for reactivation at the time of the extended deadline date, the well shall be sealed as set forth in Section 18-404.9. of this Ordinance.

Section 18-404.11. Backflow Protection.

1. Water well systems shall be equipped with backflow prevention devices appropriate for the installation.
2. A Reduced Pressure Zone (RPZ) Backflow Assembly meeting ASSE Standard 1013 shall be required on any water well system connected to an in-ground irrigation system except for pond leveling wells which utilize a free-fall drain with adequate fixed air gap. An RPZ assembly shall be installed inside an enclosure meeting ASSE Standard 1060 Class 1-V, or other heated enclosure approved by the Department.

Section 18-404.12. Supplemental Wells.

1. Construction of a supplemental well shall not be permitted on property connected to a community water supply except as provided under Section 920.30c Variance in the Illinois Water Well Construction Code.
2. Construction requirements for supplemental wells, approved through variance by the Director, are identical to those for potable wells set forth in this Ordinance, with the following additions:
 - a. Written notice shall be provided to the Department from all governing bodies with administrative or operational authority regarding the local public water supply that they have no objection to the construction of a supplemental well.

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- b. The glacial aquifer underlying the area of the proposed well shall not contain contaminants that exceed Class I Groundwater Standards adopted in the Groundwater Quality Standards Code (35 Ill. Adm. Code 620), based on available water quality data.
 - c. The use of steel casing shall be required.
 - d. If the water system is non-pressurized, the pitless adapter shall be installed at least eight (8) inches above grade. The check valve at the pump shall be removed or a bleeder valve installed above the check valve to allow the system to drain below the frost level.
 - e. The water system shall have a permanent electrical connection.
 - f. An easily accessible sampling point shall be provided.
 - g. Backflow protection as set forth in Section 18-404.11. of this Ordinance shall be provided.
 - h. The owner of the property for which a supplemental well permit application has been made shall have a Notice of Supplemental Well filed on the property's deed by the DuPage County Recorder of Deeds. A copy of the Notice shall be returned to the Department prior to permit issuance.
3. Conversion of an existing potable water well to a supplemental well shall be permitted under the following conditions:
- a. There is no local ordinance prohibiting irrigation or supplemental wells.
 - b. Buried seal wells and wells in pits shall be upgraded to meet the provisions set forth in Section 18-404.12. (B) of this Ordinance.
 - c. Wells which are not constructed with approved pitless adapters or cannot be upgraded to meet current provisions of this Ordinance shall be sealed.
 - d. Isolation distances as set forth in Section 920.50 of the Illinois Water Well Construction Code are met and approved backflow protection as set forth in Section 18-404.11. of the DuPage County Health Department Private Water Supply Ordinance is provided.
 - e. The property owner shall have a Notice of Supplemental Well filed on the property's deed by the DuPage County Recorder of Deeds and a copy returned to the Department within 30 days from the date of well conversion.
 - f. After the conversion, the well must continue to produce water that is bacteriologically and chemically safe for human consumption meeting the Class I Groundwater Standards adopted in the Groundwater Quality Standards Code (35 Ill. Adm. Code 620)

Existing water wells not in compliance with the above requirements must be sealed in accordance with the requirements in Section 18-404.9.

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Section 18-404.13. Water Service Piping.

All water service piping from the pitless adapter to the pressure tank shall be installed below the known frost level but not less than 42 inches below finished grade.

Section 18-404.14. Variance.

1. The fee to be paid to the Department for a variance review shall be in accordance with Article 18-1, Section 18-103.
2. In addition to the other provisions of Section 920.30 of the Illinois Water Well Construction Code and Section 925.30 b of the Illinois Water Well Pump Installation Code, the owner of the property for which a variance has been granted shall have a Variance Request Application filed on the property's deed by the DuPage County Recorder of Deeds.
3. A copy of the recorded Variance Request Application must be returned to the Department prior to permit issuance.

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SECTION 18-5. PERMIT REQUIREMENTS

Section 18-405.1. General Provisions.

No person shall construct, modify, or cap a water well until a permit has been issued by the Department. Applications for permits shall be in writing on forms provided by the Department and shall be signed by the applicant.

Section 18-405.2. Permit Fees.

1. The fee to be charged for the issuance of a permit shall be in accordance with Article 18-1. Section 18-103.

Section 18-405.3. Permit Application Requirements.

1. Application for a permit to construct a well shall be accompanied by a plat drawn to scale and fully dimensioned with specifications as necessary to fully describe the system. The plat shall show the locations of the following (whether existing or proposed):
 - a. Well.
 - b. Lot boundaries;
 - c. Above ground (or overhead) and underground utilities;
 - d. Drains and their sizes;
 - e. Private sewage disposal systems or sewer service lines;
 - f. Public sewer lines;
 - g. Buildings;
 - h. Driveways;
 - i. Sidewalks and patios; and,
 - j. Private sewage disposal systems and sewer lines on adjoining lots.
2. Application for a permit to modify a well shall be accompanied by a drawing showing the lot boundaries, the location of the well in relation to two adjacent lot lines, and any potential sources of contamination that may affect the well.
3. The permit application shall contain the following information:
 - a. Water well driller's license number and name.
 - b. The location of the water well including county, township, city, street, address, legal description and permanent parcel number.
 - c. Name, address, and telephone number of the owners of the well.
 - d. Type of well to be constructed (bored, dug, or drilled).

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- e. An estimate of the depth of the well.
- f. Type of well (private water well, semi-private water well, non-community water well).

Section 18-405.4. Expiration.

The permit is void if construction has not commenced within one (1) year of date of issuance.

Section 18-405.5. Denial of Permits.

1. The Department shall deny the approval of a permit request when available information indicates that the groundwater aquifer contains contamination which renders the water unsafe under Section 18-406. of this Ordinance. A potential health problem may be detected on the basis of a sanitary survey, laboratory analysis, location of known sources of pollution, condition of water supply, type of construction or information from previous well owners which might indicate the water would be too hazardous to drink.
2. The Department shall grant approval of a request for a permit when approved treatment is shown to reduce contaminant levels below levels specified in Section 18-406. of this Ordinance.

Section 18-405.6. Inspections.

Department personnel shall have access to the property any time after a permit application has been filed in order to determine satisfactory compliance with the provisions set forth in this Ordinance. Access shall be deemed essential for, but not limited to, the following:

1. On-site layout review,
2. Any stage of construction or modification of a system,
3. Final inspection, and
4. Sampling of private water supply system.

Section 18-405.7. Notification.

The owner or contractor shall give forty-eight (48) hours advance notice to the Department before beginning the construction of a new water well or capping or sealing an existing water well. No work on the water well shall be done until notification is given. The owner or contractor shall provide as much notice as possible to the Department before beginning work to modify a water well. No work shall begin until the Department has been notified.

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SECTION 18-406. WATER QUALITY STANDARDS

Section 18-406.1. General Provisions.

For a private water supply to be deemed safe for use, it shall produce water of a quality consistent with the standards described in this Article.

Section 18-406.2. Microbiological Standards.

The maximum contaminant level for coliform bacteria is applicable to all private water supply systems:

1. Membrane Filter

When utilizing the membrane filter technique, there shall be no coliform per 100 milliliters in any sample.

2. Fermentation Tube

When utilizing the fermentation tube technique in either 10 milliliter or 100 milliliter standard portions, there shall be no indication of coliform bacteria present in any portion of any sample.

Section 18-406.3. Adoption of Other Water Quality Standards.

In addition to the microbiological standards described in Section 18-406.2 of this Ordinance, this Ordinance shall adopt, by reference, the water quality standards described in the "Federal National Primary Drinking Water Regulations" (40 CFR 141 and 142 (1988) 52 Fed. Reg. 25690 through 25717, July 8, 1987 and 53 Fed. Reg. 25801 through 25111, July 1, 1988) and any subsequent amendments or revisions thereto, and the Class I Groundwater Standards adopted in the Groundwater Quality Standards Code (35 Ill. Adm. Code 620). A copy of these documents shall be on file and available for inspection at the DuPage County Health Department offices.

Section 18-406.4. Sampling.

1. Department personnel shall have access to property served by potable or supplemental water wells to inspect the water system and to collect samples to determine compliance with water quality standards set forth in this Ordinance.
2. Water samples shall be taken at points which are representative of the conditions within the distribution system. For supplemental wells, an easily accessible sampling point shall be provided.

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SECTION 18-407. ADMINISTRATION

Section 18-407.1. Administrative Hearings.

1. Administrative hearings involving Illinois water well drilling contractor licenses or Illinois water well pump installation contractor licenses shall be conducted by the Illinois Department of Public Health.
2. Any administrative hearing shall be conducted in accordance with the Illinois Department of Public Health Rules of Practice and Procedures of Administrative Hearings (77 Ill. Adm. Code 100).

Section 18-407.2. Notification of Violations.

When the Department discovers a violation of this Ordinance that pertains to the actions or inactions of a person who constructs or modifies a water well, it shall notify the Illinois Department of Public Health of the violation and the person responsible.

Section 18-407.3. Powers and Duties of the Department.

In accordance with the provisions of this Ordinance, the Department has the following powers and duties:

1. To make such inspections as are necessary to determine satisfactory compliance with the Private Water Supply Ordinance.
2. To cause investigations to be made when a violation of any provision of this Ordinance is observed by or reported to the Department.
3. To enter at reasonable times upon private or public property for the purpose of inspecting and investigating conditions relating to the administration and enforcement of this Ordinance.
4. To institute or cause to be instituted legal proceedings in the Circuit Court of DuPage County in cooperation with the State's Attorney's Office in cases of non-compliance with the provisions of the Private Water Supply Ordinance.
5. To institute emergency legal proceedings in the Circuit Court of DuPage County in cooperation with the State's Attorney's Office where a condition presents a substantial hazard to the public health. Upon a showing of good cause, the court shall grant such relief as is necessary under the circumstances to abate the hazard.

Section 18-407.4. Violations.

Whenever the Department determines, through inspections or other means, that there is a violation of any provision of this Ordinance, the Department shall give notice of such alleged violation. Such notice shall:

1. Be in writing.
2. Include a statement of the reasons for the issuance of the notice.

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3. Contain a statement of remedial action and allow a reasonable time to effect compliance with this Ordinance.
4. Be served upon the owner, operator, or resident as the case may require, provided that such notice shall be deemed to have been properly served when the notice has been personally delivered or sent by registered or certified mail.
5. A Health Violation Notice may be posted on the property indicating the following:
 - a. Date of inspection.
 - b. Type of violation noted.
 - c. Inspector's name and phone number.
6. It shall be a violation of this Ordinance for any person except a representative of the Department to remove or allow to be removed a Health Violation Notice posted on any property. The Health Violation Notice shall be removed from the property by a representative of the Department when remedial actions have been completed and approved.

Section 18-407.5. Revocation or Suspension of Permit.

The Department shall have the authority to revoke or suspend permits when they are issued in error, or where the provisions of this Ordinance are violated. The reason for the revocation or suspension of a permit shall be posted in writing at the site, or mailed to the applicant at the address provided in the permit application.

Section 18-407.6. Complaints.

The Director or the State's Attorney is hereby authorized to sign a complaint on behalf of the Department alleging a violation of this Ordinance, a provision or condition contained in a permit issued pursuant to this Ordinance, or any rule or regulation promulgated pursuant to this Ordinance.

Each day's violation constitutes a separate offense. The DuPage County State's Attorney shall bring such action as deemed appropriate in the name of the Department.

Section 18-407.7. Penalties.

Any person violating any provision of this Ordinance, or any provision or condition contained in a permit issued pursuant to this Ordinance, or any rule or regulation promulgated pursuant to this Ordinance shall commit a petty offense which is punishable by a fine not to exceed \$500.00.

Section 18-407.8. Invalidity.

Should any section, clause or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

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Section 18-407.9. Conflicting Ordinances.

In any case where a provision of this Ordinance is found to be in any conflict with a provision of any zoning, building, safety, or health ordinance or code in force or adopted subsequent to the effective date of this Ordinance, the more stringent provision shall prevail.

Section 18-407.10. Effective Dates.

This Ordinance shall be in full force and effect from the date of its adopting.

Enacted Ordinance "Private Water Supply Ordinance," OH-002-90, November 27, 1990.

Amended Ordinance OPW-004-99, December 14, 1999.

Amended Ordinance OHS-001-00, January 25, 2000.

Amended Ordinance OHS-002-00, May 23, 2000.

Amended Ordinance OEN-001-01, September 25, 2001

Amended Ordinance OHS-001-02, August 27, 2002.

Amended Ordinance OHS-001a-02, January 28, 2003.

Amended Ordinance OHS-001b-02, March 11, 2003.