

ORDINANCE NO. ____

AN ORDINANCE REGULATING ESTABLISHMENT OF PRIVATE WELLS

TO PROMOTE PUBLIC HEALTH, SAFETY, AND WELFARE, THE CITY COUNCIL OF THE CITY OF _____, HEREBY ORDAINS AS FOLLOWS:

Section 1. PRIVATE WELLS UNLAWFUL

1. It shall be unlawful for any person to install a new private well intended to be used to withdraw more than 10,000 gallons of water per day or 1 million gallons per year, or otherwise requiring receipt of a water use (appropriation) permit from the Minnesota Department of Natural Resources, within city limits.
 2. It shall be unlawful for any person to install a new private well, regardless of the amount of water intended to be withdrawn from such well, on any lot within city limits that has reasonable access to city water service. New private wells may be allowed on lots without reasonable access to city water service upon proof that a permit for such well has been issued by the Minnesota Department of Health. For such purposes, a lot within 500 feet of the city water system shall be deemed to have reasonable access to water service.
 3. No building or occupancy permit will be issued for new construction on a lot with access to city water service until such service is connected, or assurance of such connection is provided to the city council's satisfaction.
 4. Existing private wells within city limits on property with reasonable access to the city water system which are not used solely for ground irrigation or livestock watering shall be sealed at the property owner's expense in accordance with Minnesota Department of Health requirements.
3. No pipe or other facilities of the city water system shall be connected with any private pump, well, or tank receiving water from any source other than the city system.

Section 2. PENALTY: Any violation of this Ordinance shall be considered a misdemeanor punishable by the misdemeanor fines and penalties set forth in Minnesota Statute Section 609.02, Subdivision 3, as may be amended from time to time.

Section 3. PRIOR ORDINANCES CONTINUED: Any other City of _____ ordinances regulating the city water system shall remain in full force and effect.

Section 4. EFFECTIVE DATE. This ordinance shall become effective publication.