

CHAPTER 24 WELL REGULATION

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6-24-1 SCOPE. The provisions of this chapter shall apply to all private water wells located or to be constructed within the city limits of Maquoketa, Iowa, including but not limited to, new construction and modification of existing wells.

6-24-2 PERMIT REQUIRED. No person shall construct, modify, and/or repair a private well in the City of Maquoketa, Iowa or own/use a well-constructed after the effective date of this provision, unless a permit has been issued for the well by the Maquoketa City Manager. 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.

6-24-3 REGISTRATION OF PRE-EXISTING WELLS. Any person who owns property in the City of Maquoketa, Iowa, which has a well, other than a monitoring well, which was constructed prior to the effective date of the ordinance as 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 Administration office. There will be no fee charged for the registration of a pre-existing well.

6-24-4 PERMIT PROCESS.

1. Any person desiring a well permit shall make application to the City of Maquoketa on the form prescribed by the City Manager. The City Manager shall determine the necessary information, date and testing required for the issuance of the permit.

2. In determining whether or not to issue a permit, the City Manager 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, at the applicant's expense, to have an environmental site assessment completed to determine if there are known sources of contamination within 500 feet of the proposed site. The environmental site assessment shall contain, but shall not be limited to, all information set forth in subparagraph 4 below.

3. If the property, building or facility to be served is located within 200 feet of public water, the City Manager shall automatically deny the permit, and the applicant shall be required to use the public water system.

4. If the City Manager determines, based upon the environmental site assessment, that the water is in an area of contamination or is otherwise unfit, he/she 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 Manager shall consider current levels and areas of contamination, affected aquifer(s), as well as where the contamination might reasonably be expected to expand in the foreseeable future.

5. The application shall not be deemed complete until all information, data and testing results required by the City Manager have been submitted to him/her for consideration and required fee paid in full.

6. The City Manager shall rule upon the permit application within 30 working days of the submitting of the completed application. The City Manager 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 Manager 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 Manager to the Maquoketa City Council by filing a written notice of appeal with the City Manager within ten (10) business days of the decision. The Maquoketa 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.

(Ord. 1146, Passed December 3, 2018)

(Ord. 1156, Passed September 3, 2019 – Repealed

former Chapter 24, Outdoor Furnaces)