CHAPTER 93

PRIVATE WELLS

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| 93.01 Permit Required | 93.03 Investigation |
| 93.02 Contents Of Application | 93.04 Hearing |

93.01 PERMIT REQUIRED. No person shall construct a private well after July 1, 2001, or own or use a private well after July 1, 2001, unless a permit has been issued for the well by the City. The permit application shall be made with the Water Superintendent (“Superintendent”) on forms provided by the City.

93.02 CONTENTS OF APPLICATION. The permit application shall provide the Superintendent with data concerning any soil and groundwater contamination in the particularly described application site. In determining whether to issue a permit, the Superintendent shall consider the availability of public water to serve the facility; the estimated amount of water to be consumed; and the uses for which the water will be used.

93.03 INVESTIGATION. The Superintendent will investigate City records to determine if the proposed private well is within the area of concern from any leaking underground storage tank sites. The Superintendent may also contact the Iowa Department of Natural Resources to determine if there are leaking underground storage tank sites in the vicinity of the proposed well. If the Superintendent determines that a private well application may be granted in an area of concern, the Superintendent shall notify the Iowa Department of Natural Resources Leaking Underground Storage Tank section of the permit application.

93.04 HEARING. A decision to grant or deny a permit shall be made within thirty (30) days after application. If a permit is denied, a written notice of denial shall be given to the applicant. The reason for the denial shall be stated in the notice and the right of the applicant to appeal the Superintendent’s decision. If a permit is denied, the applicant may appeal the Superintendent’s decision to the Council. The appeal shall be made by written notice delivered to the Clerk within thirty (30) days from the date of the Superintendent’s denial. The Council shall schedule a public hearing on the appeal within thirty (30) days from the date of the appeal and upon failure to do so the denial shall be deemed affirmed by the Council. If there is no appeal, the decision of the Superintendent is final. Where appeal is taken, the decision of the Council is final.