

CHAPTER 176. - WATER WELL POLLUTION PROTECTION^[4]

Footnotes:

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Cross reference— Comprehensive Zoning Ordinance, Art. XXVII, Section L.

Sec. 176.01. - Purpose.

- (A) This chapter sets forth uniform requirements for the users and the construction of facilities in or on land within 150 feet of any water wells operated by the City of Carrollton ("wells") in order to promote sanitary conditions in and around such wells, to secure all such land from pollution hazards, and to enable the city to comply with all applicable state and local regulations.
- (B) The objective of this chapter is to prevent certain uses and the construction of facilities in or on land surrounding the wells, which might create a danger of pollution to the water produced from such wells.

(Ord. 3438, passed 5-3-2011)

Sec. 176.02. - Definitions.

Unless the context requires otherwise, the following terms and phrases, as used in this section, shall have the meanings hereinafter designated:

Person shall mean any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity, or its legal representatives, agents, successors, or assigns.

Wells shall mean the water wells owned and operated by the city.

(Ord. 3438, passed 5-3-2011)

Sec. 176.03. - Prohibited activities.

The following activities are prohibited within the designated areas of land surrounding the wells:

- (A) Construction and/or operation of any underground petroleum and/or chemical storage tank, liquid transmission pipeline, stock pen, feedlot, dump grounds, privy, cesspool, septic tank, sewage treatment plant, sewage wet well, sewage pumping station, drainage ditch which contains industrial waste discharges or the wastes from sewage treatment systems, solid waste disposal site, land on which sewage plant or septic tank sludge is applied, land irrigated by sewage plant effluent, septic tank perforated drain field, absorption bed, evapotranspiration bed, area irrigated by low dosage, low angle spray on-site sewage facility, military facility, industrial facility, wood treatment facility, liquid petroleum and petrochemical production, storage, and/or transmission facility, Class 1, 2, 3 and/or 4 injection well, pesticide storage and/or mixing facility, abandoned well, inoperative well, improperly constructed water well of any depth, and all other construction or operation that could create an unsanitary condition is prohibited within, upon, or across all areas of land within a 150-foot radius of the wells. For the purposes of this section,

"improperly constructed water wells" are those wells that do not meet the surface and subsurface construction standards for a public water supply well.

- (B) Construction and/or operation of tile or concrete sanitary sewers, sewer appurtenances, septic tanks, storm sewers, and cemeteries is specifically prohibited within, upon, or across any area of land within a 50-foot radius of the wells.
- (C) Construction of homes or buildings upon any area of land within a 150-foot radius of the wells is permitted, provided the restrictions described in items (A) and (B) above are met.
- (D) Normal farming and ranching operations are not prohibited by this section; provided, however, livestock shall not be allowed within a 50-foot radius of the wells.

(Ord. 3438, passed 5-3-2011)

Sec. 176.04. - Right of entry.

City employees, or authorized representatives of the city, bearing proper credentials and identification, shall be permitted to immediately enter upon any premises located within a 150-foot radius of any well to conduct any inspection or observation necessary to enforce this chapter.

(Ord. 3438, passed 5-3-2011)

Sec. 176.05. - Required removal.

Any person who shall violate any provision of this chapter shall be required to remove the prohibited construction or potential source of contamination within 30 days after notification that they are in violation of this section.

(Ord. 3438, passed 5-3-2011)