

ORDINANCE NO. _____

ORDINANCE ADDING CHAPTER 13.40 ENTITLED "PUBLIC WATER SUPPLY WELL PROTECTION."

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA:

Section 1. That a new Chapter 13.40 entitled "Public Water Supply Well Protection" is hereby added to the Davenport Municipal Code and reads as follows:

Chapter 13.40 **PUBLIC WATER SUPPLY WELL PROTECTION**

13.40.010 **Separation Distance and allowable locations.**

13.40.020 **Public meetings required.**

13.40.010 **Separation Distance and allowable locations.**

A. No construction of any source of contamination shall be permitted within 200 feet of any public water supply well, except as provided in the section of the Iowa Administrative Code cited below. No alteration to a source of contamination that exists on November 1, 2021 is allowed.

Applicable definition of terms and requirements for separation distances shall be controlled by Chapter 43 of Part 567 of the Iowa Administrative Code (455B), specifically subrule 43.3(7) and Table A as amended and implemented by the Iowa Department of Natural Resources.

B. In addition to the separation requirements in subsection A above, the location(s) of public water supply wells within the City of Davenport are restricted to:

- 1) "Genesis East Well" - specific location is on file with the City Engineer.

13.40.020 **Public meetings required.**

Should the water company wish to request the council add another allowable location for a public water supply well, it must first hold two public meetings at least three weeks apart, and the water company must provide reasonable notice by mail of such meeting to all residents within 500 feet of the parcel upon which the proposed well will be located.

SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

EFFECTIVE DATE. This ordinance shall be in full force and effective after its final passage and publication as by law provided.

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad City Times* on _____

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk