

Christian County  
Ordinance Number 02025 HE 012  
Christian County Health Department

**WATER WELL PERMIT AND WATER SUPPLY**

**Preamble**

This ordinance is establish to eliminate disease transmission and chemical poisons through provisions of a safe, potable, adequate supply of water for drinking, culinary and sanitary purposes for every individual within the health authority's jurisdiction.

**SECTION I: DEFINITIONS**

- A. **ABANDONED WELL** means a water or monitoring well which is no longer used to supply water or which is in such a state of disrepair that the well or boring has the potential for transmitting contamination into an aquifer or otherwise threatens the public health or safety.
- B. **COMMUNITY PUBLIC WATER SYTEM** means a public water system which serves at least 15 service connections used by residents or regularly serves 25 or more residents for at least 60 days per year.
- C. **HEALTH AUTHORITY** means the legally designated health administrator of the county or his duly authorized representative.
- D. **HEALTH DEPARTMENT** means the county department of public health, including its duly authorized representatives.
- E. **MODIFICATION** means any change or alteration of a water well structure. This includes, but is not limited to, installation of a pitless adapter, and/or replacing or repairing a casing or well screen.
- F. **MONITORING WELLS** are specially constructed wells used to collect groundwater data, such as water levels, quality, and contamination levels. They are typically installed for environmental monitoring, regulatory compliance, or site assessments and allow for the observation and sampling of groundwater without affecting the aquifer's natural flow.
- G. **NON-COMMUNITY PUBLIC WATER SYSTEM** means a public water system which is not a community water system and has at least 15 service connections used by nonresidents or regularly serves 25 or more nonresident individuals daily for at least 60 days per year.
- H. **POTABLE WATER** means water that is suitable for human consumption and which meets public health standards for drinking water.
- I. **PRIVATE WATER SYSTEM** means any supply which provides water for drinking, culinary, and sanitary purposes and serves an owner-occupied single-family dwelling.
- J. **SEMI-PRIVATE WATER SYSTEM** means a water supply which is not a public water system, yet which serves a segment of the public other than an owner-occupied single-family dwelling.
- K. **WATER WELL** means an excavation that is drilled, cored, bored, washed, driven, dug, jetted, or otherwise constructed when the intended use is for the location, diversion, artificial recharge, or acquisition of groundwater.



state department of public health in accordance with the Water Well and Pump Installation contractor's License Act (225 ILCS 345/1 et seq.).

- E. **PERMIT VALIDITY.** A permit to construct, deepen, modify, or seal of a water well is valid for a period of 12 months from the date of issuance. A permit to seal a water well is valid for a period of 30 days. If construction, deepening, modification, or sealing has not started within the permit period, the permit is void.
- F. **PERMIT FEES.** Fees for construction, deepening, modification, or sealing are as set out in the Christian County Environmental Fees. The fee for sealing a water well may be waived if the sealing is performed in conjunction with construction of a new water well and payment of that permit.
- G. **EXCEPTIONS.** A permit to construct, deepen, modify, or seal a water well shall not be required by the health authority when such water well does or will serve a community public water system. A permit to construct, deepen, or modify a water well shall be required by the health authority when such water well does or will function as a monitoring well.

#### **SECTION VII: REQUIRED INSPECTION**

The health authority shall have the authority to enter any property at any reasonable time for inspection purposes to determine compliance with the provisions of this Ordinance. It shall be the duty of the owner or occupant of a property to allow the health authority free access to the property for inspection purposes to determine compliance with the provisions of this division.

- A. **INSPECTION OF WORK.** A water well shall not be placed into operation until the installation or modification of the water well and its components has been inspected to verify compliance with applicable provisions of this division and written approval issued by the health authority. To the degree practical and permitted by the health authority, the completed installation shall remain uncovered and/or accessible for inspection purposes until approved by the health authority. If the health authority, upon inspection of the specified installation, modification, or component thereof, finds that such work meets the provisions of this division, the health authority shall approve such work and authorize operation of the water well. However, compliance with SECTION IV shall be obtained prior to utilizing the water system for drinking and culinary purposes.
- B. **NOTIFICATION FOR INSPECTION.** The health authority shall be notified at least 48 hours prior to commencing the construction, deepening, or modification of a water well for which a permit has been issued. The health authority shall also be notified at least 48 hours prior to sealing of an abandoned water well at which time a date for inspection will be arranged. It shall be the responsibility of the water well contractor to notify the health authority as required. Failure to notify the health authority in adequate time shall result in a fine deemed in the Christian County Environmental Fee schedule.
- C. **SUSPENSION OF PERMIT.** Upon inspection by the health authority, if it is found that any provisions of this section or any permit specifications for a stated property have been violated, the health authority shall notify the installer to make such specified changes in the work to allow compliance with the provisions of this division and the permit. If such changes are not made within a period of time specified by the health authority, the permit shall be suspended, and it shall be unlawful to place the water well into operation.



## **SECTION II: PUBLIC WATER SUPPLY USE**

In those locations where a public water supply is reasonably available, that supply should be the sole source of water for drinking and culinary purposes. A public water supply shall be deemed reasonably available when the subject property is located within 200 feet of the public water supply to which connection is practical and is permitted by the controlling authority for such water supply.

## **Section III: POTABLE WATER SUPPLY LOCATION, CONSTRUCTION AND REPAIR**

- A. **WATER WELLS.** Except as otherwise herein provided, the location, construction, repair and disinfection of water wells, and installation of water well pumps, shall be in accordance with the requirements set forth by the "Illinois Water Well Construction Code" (77 Ill. Adm. Code 920), "Illinois Water Well Pump Installation Code" (77 Ill. Adm. Code 925), "Public Area Sanitary Practice Code" (77 Ill. Adm Code 895), "Drinking Water Systems Code" (77 Ill. Code 900), and "Surface Source Water Treatment Code" (77 Ill. Adm. Code 930) which are hereby made part of this ordinance by reference. Copies of said Regulations shall be available at the County Health Department Office. Wells that are abandoned shall be sealed in a manner prescribed by the Illinois Water Well Construction Code.
- B. **SURFACE WATER SUPPLIES.** The Surface Source Water Treatment Code will apply to all water systems which use surface water as their source. No surface water shall be utilized as a potable water supply unless the health authority has reviewed and approved the supply and its components.
- C. **CISTERNS.** Cisterns shall not be used as a potable water supply except where adequate groundwater resources are not available. Cistern water shall receive treatment in accordance with the Surface Source Water Treatment Code. No surface water shall be utilized as a potable water supply unless the health authority has reviewed and approved the supply and its components.
- D. **OPEN WELLS.** Any open wells or unused cisterns must be sealed or filled immediately.
- E. **ABANDONED WELLS.** Wells that are abandoned shall be sealed in a manner prescribed by the health authority and the "Illinois Water Well Construction Code." The health authority may inspect abandoned wells which have been sealed to determine compliance with this section. In questionable cases, the health authority shall make the determination as to whether a water well is considered abandoned, based upon the definition of an abandoned well and the facts in each particular case.

## **SECTION IV: DISINFECTION AND ANALYSIS**

- A. **LABORATORY TESTING REQUIREMENTS.** All components of a new water well construction and/or modification shall be thoroughly disinfected with a strong chlorine solution which will yield a dosage of at least 100 parts per million to the water in the well. After purging the system of any chlorine residual, a water sample shall be taken and satisfactory bacteriological results, as confirmed by an approved laboratory, shall be obtained prior to utilizing the water system for drinking and culinary purposes.
- B. **PROPERTY OWNER'S RESPONSIBILITY.** It shall be the duty of every owner of every water well serving a semiprivate water system to have the water therein bacteriologically analyzed by a laboratory as required by the health authority for the protection of public health. Such water shall also be bacteriologically analyzed whenever the water lines are opened up for repair, replacement, or extension of the water distribution system. The water from a semiprivate water



system shall meet the nitrate, chemical and bacteriological requirements contained in the Drinking Water Systems Code.

- C. **EXCEPTIONS.** No portion of the interior of a well that falls under the jurisdiction of the Illinois Department of Public Health may be used as an ongoing component for chemical treatment of the well water.

#### **SECTION V: [RESERVED]**

#### **SECTION VI: APPLICATION FOR PERMIT**

No water well shall be constructed, deepened, modified, or sealed except in accordance with this division, and it shall be unlawful to proceed with such work unless a permit has first been obtained from the health authority. A non-community public water supply shall not be operated without first obtaining a permit from the state department of public health.

- A. **APPLICATION FOR PERMIT.** All applications for permits under the provisions of this section shall be made in writing and in such form as prescribed by the health authority. Sufficient data shall be included to determine whether the proposed application for permit meets the requirements of this division.
- B. **ISSUANCE OF A PERMIT.** Upon submission of the application for permit, including the plans and specifications of the proposed water well or component thereof, the health authority shall review such application prior to issuance of a permit. The health authority may require additional information, which may include the location of private sewage disposal systems and/or water wells on adjacent properties. It shall be the responsibility of the applicant or an authorized agent of the applicant to obtain all necessary data and to design a system which shall meet the requirements of this division. If the health authority, upon review of such application, finds that such application meets the requirements of this section, and upon payment of the required fee, a permit shall be issued to the applicant. Such permit shall include specifications specific to each proposed water well and shall include a statement as to any restrictions relating to the location, materials components, or type of water well to be constructed. There shall be no permit issued if public water is available.
- C. **PROPERTY OWNER'S RESPONSIBILITY.** It shall be the responsibility of the property owner to obtain a permit before any construction, deepening, modification, or sealing of a water well is begun. Failure of the property owner to obtain a permit before any construction, deepening, modification, or sealing of a water well is begun shall constitute a violation of this section. A homeowner may service and/or maintain a private well system which serves his/her single-family residence. If the homeowner wants to install the system his/herself, an application still must be completed before installation.
- D. **WATER WELL AND/OR PUMP INSTALLATION CONTRACTOR'S RESPONSIBILITY.** It shall be the responsibility of the water well contractor to ensure that a permit has been issued before any construction, deepening, modification, or sealing is begun and to follow the conditions of such permit. Failure of the water well contractor to ensure such permit has been issued or to violate the conditions of the permit shall constitute a violation of this section. All water wells shall be constructed in accordance with the Illinois Water Well Construction Code. All individuals who construct, deepen, modify, or seal water wells and/or install well pumps shall be licensed by the



## **SECTION VIII: HEARINGS**

- A. HEARING BEFORE THE HEALTH AUTHORITY:** Any person affected by any order or notices issued by the County Health Department in connection with the enforcement of any section of this subchapter may file in the office of the Health Department a written request for a hearing before the Health Authority. The Health Authority shall establish the time and place for conducting a hearing as soon as possible, but in any case no later than 30 days from the date on which the request was filed. The petitioner for the hearing shall be notified of the time and place of the hearing not less than five days prior to the date on which the hearing is to be held. If, as a result of the hearing, the Health Authority finds that strict compliance with the order, or notice would cause undue hardship on the petitioner, and that the public health would be adequately protected and substantial justice done by varying or withdrawing the order or notice, the Health Authority may modify or withdraw the order or notice. The Health Authority shall render a decision within ten days after the date of the hearing which shall be reduced to writing and placed on file in the office of the Health Department as a matter of public record. Any person aggrieved by the decision of the Health Authority may seek relief through a hearing before the Board of Health.
- B. HEARING BEFORE THE BOARD OF HEALTH:** Any person aggrieved by the decision of the Health Authority rendered as the result of a hearing held in accordance with this section may file in the office of the County Health Department a written request for a hearing at a time and place to be established by the president of the Board of Health as soon as possible, but in any case no later than 30 days of the date on which the written request was filed. The petitioner for the hearing shall be notified of the time and place of the hearing not less than five days prior to the date on which the hearing is to be held. If, as a result of facts elicited at the hearing the Board of Health finds that strict compliance with the decision of the Health Authority would cause undue hardship on the petitioner, and that public health would be adequately protected and substantial justice done by granting variance from the decision of the Health Authority, the Board of Health may grant a variance. The Board of Health shall render a decision within the ten days after the date of the hearing which shall be reduced to writing placed on file in the office of the Health Department and a copy thereof shall be served on the petitioner personally or by delivery to the petitioner by certified mail.

## **SECTION IX: VIOLATIONS**

Any person violating any provision of this ordinance, upon conviction, shall be fined not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1000.00). Each day the violation continues shall constitute a distinct and separate offense.

## **SECTION X: JURISDICTION**

The provisions of this article shall apply within all areas of the county, except in cities, villages, and incorporated towns that employ a full-time health officer to administer a private well that has been approved by the Illinois Department of Public Health to provide and enforce rules and regulations that are at least as stringent as this Ordinance.

The Health Authority shall have the authority to enter any property or building at any reasonable time to inspect for health and sanitation purposes 24 hours in advance, and make any necessary tests to determine compliance with this Ordinance.



#### **SECTION XI: REPEAL AND DATE OF EFFECT**

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed, and these rules and regulations shall be in full force and effect immediately upon its adoption and publication as provided by law.

#### **SECTION XII: CONFLICT OF ORDINANCE, EFFECT ON PARTIAL INVALIDITY**

In any case where a provision of this Ordinance is found to conflict with a provision of any zoning, building, fire safety, or health ordinance, or code of Christian County existing on the effective date of this Ordinance, the provision which, in the judgment of the Health Authority establishes the higher standard for the promotion of the health and safety of the people shall prevail. In any case where a provision of any other ordinance or code is hereby declared to be repealed to the extent that may be found in conflict with this Ordinance.

If any article, sub-article, paragraph, sentence, clause, or phrase of this Ordinance should be declared invalid for any reason whatsoever, such decision shall remain in full force and effect and, to this end, the provisions of this Ordinance are hereby declared to be severable.

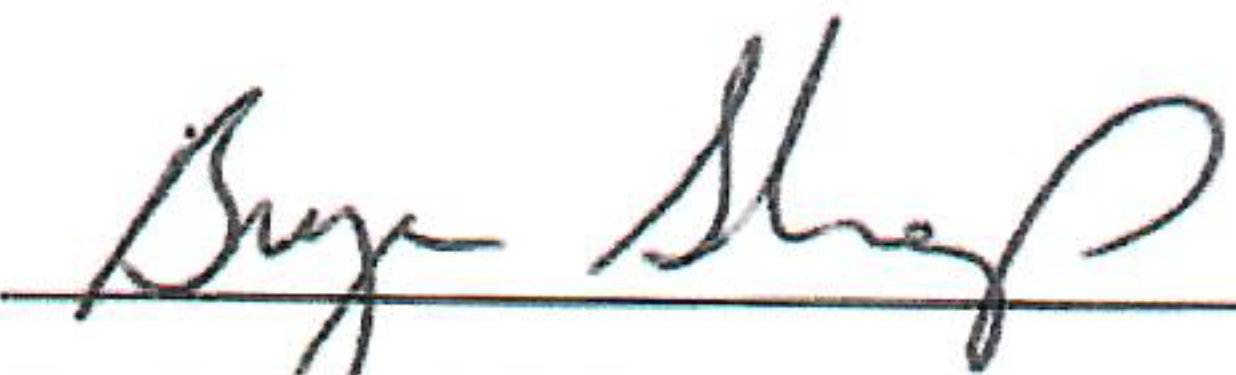
#### **SECTION XIII: UNCONSTITUTIONALITY CLAUSE**

Should any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of this ordinance shall not be affected thereby.

#### **SECTION XIV: EFFECTIVE DATE**

This ordinance shall become effective after August 20, 2025.

ADOPTED: August 19, 2025

  
County Board Chairman

  
County Clerk