

# **Town Hall - Ordinances**

## **WATER**

### **ORDINANCE 2010-4**

#### **AN ORDINANCE PROHIBITING THE FUTURE USE OR DRILLING OF POTABLE WATER WELLS WITHIN THE TOWN OF CAMDEN, INDIANA**

WHEREAS, the Town of Camden, Indiana, has maintained for many years a public water

utility providing safe potable water to its customers, and which system is readily available throughout the entire Town, and

WHEREAS, the Town Council of Camden, Indiana, finds that the public health and safety of the citizens is best protected by limiting future use or installation of private water wells and, instead, requiring that the Town Water Utility be the preferred future source of potable water,

NOW, THEREFORE, BE IT ORDAINED by said Council, as follows:

Section One: The term "water well" means any system used to pump, access or otherwise bring to the surface underground sources of water existing under, upon or within the confines of any premises located within the corporate limits of said Town for the purpose of human consumption or other use, and which device is used or installed after the effective date of this Ordinance.

Section Two: From and after the passage of this Ordinance, the use or installation of any private water well intended for potable human consumption, upon any premises located within 300 feet from any existing and available water line of

said Town Water Utility, and located within said Town is hereby prohibited unless “grandfathered” under Section Four.

Section Three: No person, including any corporation, partnership or association shall use, drill or otherwise install any water well with the Town of Camden, Indiana, in violation of this Ordinance. Violations of this Ordinance shall be punishable by a fine not to exceed Five Hundred Dollars (\$500.00). Each day that such person or entity continues to operate and to use any such water well for the purpose of human consumption is deemed to be a continuing and separate violation.

Section Four: Any private water well currently being used as a source of potable water at the time this Ordinance becomes effective may continue being used by the property owner. However, whenever the property is sold, the new owner will not be “grandfathered” and will be required to connect to and to use the Town Water Utility.

Section Five: If the well is abandoned, in order to comply with state law, it must be plugged by a licensed well-driller. Said well-driller must send a record of the abandoned well and the plugging procedure to the Division of Water Resources of the State of Indiana. Said plugging will be at the expense of the owner of the well.

Section Six Nothing in this Ordinance shall be construed as requiring said Town or Town Water Utility to install or to provide water improvements or service to any person or premises which are not otherwise currently in existence at the time of passage of this Ordinance.

Section Seven: This Ordinance shall become effective upon its final passage by the Town

Council of Camden, Indiana and publication as required by law.

Passed: November \_\_\_\_\_, 2010.

THE TOWN COUNCIL, CAMDEN, IN

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Peter F. Wagoner, President

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Richard Fite, Member

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Jeffrey "Andy" Kelly

ATTEST:

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Patricia Casserly

Clerk/Treasurer