

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER 21, SECTION 21-404 OF THE CODE OF THE CITY OF NORMAN TO REQUIRE PERMITS FOR DOMESTIC AND INDUSTRIAL WATER WELLS AND SET FORTH CONDITIONS FOR APPROVAL OF SUCH PERMITS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 1. That Section 21-404 of Chapter 21 of the Code of the City of Norman shall be added to read as follows:

Sec. 21-404. - Installation and use of water wells.

(a) No person shall drill or enlarge any domestic or industrial water well, or subsequently use the water from such well, except upon:

- (1) Application for a permit for such activity or usage from the ~~Public Works-Utilities~~ Department,
- (2) Payment of a \$50.00 permit fee, and
- (3) Compliance with this Code and applicable Federal and State laws.
~~the rules and regulations of the Oklahoma Department of Health.~~

(b) Water from such wells shall be used only for domestic or industrial purposes as defined by applicable Oklahoma law on the premises where the well is located, and there shall be no inter-connection of any kind between such well and the water supply of the City. ~~Any non-domestic or non-industrial usage existing before February 8, 1955, may be continued to the same extent and for the same purposes, but such uses shall not be extended or increased.~~

(c) Except as otherwise provided, no person whose property is served by City water or is required to be served by City water shall drill, deepen, or otherwise complete any privately owned well into the Garber-Wellington sandstone formation, the water from such formation being part of the City of Norman municipal water supply system.

(d) Persons excepted from the provisions of the above subsection (c) are

- (1) Domestic users residing in areas not serviced by the City water supply, and
- (2) ~~Those commercial or industrial users specifically granted permission by the Oklahoma Water Resources Board.~~ City Council.

(e) Permits for industrial and domestic wells shall be conditioned on the following:

- (1) Well construction by a well driller certified by the Oklahoma Water Resources Board and submission of the Oklahoma Water Resources Board Groundwater Well Completion Report to the Utilities Department of the City upon completion;
- (2) Installation and maintenance of an operable totalizing water meter;
- (3) Installation of at least 30 feet of properly installed surface casing grouted or cemented into place to reduce the risk of groundwater contamination;
- (4) There is no cross connection of the well to the City of Norman public water supply.
- (5) The water withdrawn from the well shall not exceed the volume limits (in acre feet) set by State law and applicable Oklahoma Water Resources Board rules on an annual basis and shall only be used for the stated purpose for which the well is installed;
- (6) The water withdrawn from the well shall not be wasted or allowed to run off the property on which the well is installed;
- (7) The water withdrawn from the well shall not be applied or discharged to property owned by others; and
- (8) Records of monthly meter readings of the well shall be kept by the well user to document the volume of water being withdrawn from the well.
- (9) The volume of water withdrawn in the previous calendar year shall be reported to the Utilities Department no later than February 1 of the following year. Such reports shall include the meter readings, the dates of the meter readings, well location and the name, address, and phone number of the permit holder.

Failure to comply with these provisions may result in the denial or withdrawal of the well permit and/or imposition of a penalty as described in Section 21-501.

~~(e) (f) All domestic and industrial wells drilled, deepened, or completed to the Garber-Wellington sandstone formation pursuant to this Section, and the operation of such wells, are subject to periodic inspection and water quality testing by the City. the inspection, periodic water quality testing, and regulation of the City, so as to prevent pollution and/or damage to those water producing sands.~~

~~(f) The City Council may issue cease and desist orders to all users of water from the Garber-Wellington sandstone formation during any period of drought, low water supply, or at those times the Council deems necessary to safeguard the welfare of its citizens.~~

(g) Should the City subsequently furnish water service to users of private water wells drawing water from the Garber-Wellington formation, those persons owning such wells shall immediately plug ~~and abandon~~ those wells in accordance with State law.

§ 2. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance, except that the effective date provision shall not be severable from the operative provisions of the ordinance.

ADOPTED this _____ day of _____, 2013.

NOT ADOPTED this _____ day of _____, 2013.

Cindy Rosenthal, Mayor

Cindy Rosenthal, Mayor

ATTEST:

Brenda Hall, City Clerk