

ORDINANCE NO. 7

Winnebago County Ordinance

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF CONSTRUCTION STANDARDS FOR THE INSTALLATION OF ON-SITE SEWAGE TREATMENT AND NONPUBLIC WATER WELL SYSTEMS; FOR THE PROPER PLUGGING OF ABANDONED WELLS, ISSUANCE OF PERMITS, LICENSING OF CONTRACTORS AND WASTE PUMPERS, AND PROVIDING FOR PENALTIES FOR VIOLATION OF PROVISIONS OF THIS ORDINANCE.

SECTION I

Definitions

ADMINISTRATIVE AUTHORITY-The Winnebago County Board of Health or its representative.

PRIVATE SYSTEMS-On-site wastewater treatment and nonpublic water wells.

SECTION II

Jurisdiction

Under the authority of Chapter 137 and 331 of the 1989 Code of Iowa and amendatory acts thereto, this Ordinance is adopted by Winnebago County governing all lands within the borders of Winnebago County.

SECTION III

Private Systems Contractors License and Waste Pumpers License.

No person, firm, or corporation shall engage in the business of constructing private systems or waste pumping without first obtaining from the Winnebago County Board of Health a license, good for one year, which shall be issued upon the applicant showing that he is equipped to comply with the provisions of the ordinance. Any license may be revoked upon violation of the terms of the ordinance, by a license holder, and no license need be issued to any person whose equipment does not conform to this ordinance. The license shall be renewed on or before the anniversary date of the initial license. This shall not prevent the person, firm, or corporation which when he or they are owners of record to perform work on said property or prevent any immediate family or household member from performing the work on said property.

SECTION IV

Permits

A written permit shall be required prior to the construction of private systems. An application on approved forms shall be filed with the Administrative Authority.

Whereas, the State of Iowa has enacted legislation requiring a permit from the Department of Natural Resources prior to the construction of any new water wells in the State, and Whereas the Iowa Department of Natural Resources has adopted rules to implement the said statutory provisions (1987 Iowa Code Supplement Section 455B.18F), BE IT ENACTED BY THE BOARD OF SUPERVISORS OF Winnebago COUNTY, IOWA: THAT the said Chapter 38 of Iowa Administrative Code in its entirety shall henceforth be the private water well permit rules of Winnebago County.

EXCEPT THAT: The fees for permits for private systems shall be established by resolution of the Winnebago County Board of Supervisors.

SECTION V

On-site Wastewater Treatment Systems

WHEREAS, the State of Iowa has enacted legislation setting the construction standards for onsite wastewater treatment systems in the State and

WHEREAS, the Iowa Department of Natural Resources has adopted rules to implement the said statutory provisions.

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF Winnebago COUNTY, IOWA: THAT: Chapter 69 of the Iowa Administrative Code, be adopted by reference in its entirety and That the said Chapter 69 shall henceforth be the on-site wastewater water treatment systems rules for Winnebago County

SECTION VI

Nonpublic Water Wells

WHEREAS, the State of Iowa has enacted legislation setting the construction standards for the nonpublic water wells in the State, and WHEREAS, the Iowa Department of Natural Resources has adopted rules to implement the statutory provisions of Iowa Administrative Code Rule 567 Chapter 49

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF Winnebago COUNTY, IOWA: THAT the said chapter 49 in its entirety be adopted by reference and that the said Chapter 49 shall henceforth be the nonpublic water well rules for Winnebago County.

SECTION VII

WHEREAS, the State of Iowa has enacted the legislation for the proper plugging of abandoned wells and
WHEREAS, the Iowa Department of Natural Resources has adopted the statutory provisions to implement Rule 567 Chapter 39 BE IT ENACTED BY THE BOARD OF SUPERVISORS OF Winnebago COUNTY, IOWA THAT: the said Chapter 39 of the Iowa Administrative Code in its entirety be adopted and shall henceforth be the proper plugging of abandoned wells rules for Winnebago County.

Section VIII

Enforcement

It shall be the duty of the Administrative Authority to enforce the provisions of this ordinance.

Section IX

Penalties

Any person, firm, or corporation violating the provisions of this ordinance shall be guilty of a simple misdemeanor and the penalties provided thereto by State statutes and furthermore each day the violation exists after proper notice shall constitute a separate offense.

Section X

Severability Clause

Should any section of this ordinance be declared by a Court of Competent jurisdiction to be invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be invalid.

Section XI

Adoption

This ordinance shall be full force and effect from and after the date of publication

Winnebago County Ordinance No. 7 was considered for the first reading and passed by unanimous vote of the Winnebago County Board of Supervisors on Tuesday, October 3, 1989 and Winnebago County Ordinance No. 7 is hereby approved and adopted upon second and final reading by unanimous vote of the Winnebago County Board of Supervisors this 10th day of October, 1989.

PASSED THIS 10th DAY OF October 1989

Alanzo Johnson

CHAIRMAN Winnebago COUNTY BOARD OF
SUPERVISORS

Robert Swyford

Gordon Anderson

Attest: Robert D. Paulson
County Auditor
