

**FAWN GROVE BOROUGH  
YORK COUNTY, PENNSYLVANIA**

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**ORDINANCE NO. 2016-04**

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**AN ORDINANCE ESTABLISHING SITING AND CONSTRUCTION  
STANDARDS FOR NEW WELLS**

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**WTIEREAS**, Fawn Grove Borough desires to establish siting and construction standards for new wells.

NOW THEREFORE BE IT ENACTED AND ORDAINED as follows:

**SECTION 1. TITLE.** This Ordinance shall be known and may be cited as the "Fawn Grove Borough Well Ordinance".

**SECTION 2. PURPOSE.** The purpose of this Ordinance is to ensure and protect the quality and suitability of the water supply and to minimize well contamination by establishing standards for proper well siting and construction.

**SECTION 3. APPLICATION.** This Ordinance shall apply to all wells or water sources which have not been completed, or which are not in operation or are in an inoperable condition at the time of passage of this Ordinance, and that are not otherwise regulated by other regulatory bodies such as the Department of Environmental Protection and the Susquehanna River Basin Commission. This Ordinance shall further apply to the reconstruction, major repair and other changes to existing wells or water sources, when, in the opinion of the Sewage Enforcement Officer, such reconstruction, major repair and other changes may affect the quality and suitability of the water supply on the property upon which the well is constructed or on surrounding properties.

**SECTION 4. DESIGN STANDARDS.** The following standards shall apply for water supplies:

- A. Location. Drilled and driven wells shall be located at a point free from flooding and at the following minimum distances to existing or possible futuresources of pollution:

<u>Source of Pollution</u>	<u>Minimum Distance</u>
Storm Drains, Stormwater Pits	25 feet
Drains carrying domestic sewage	50 feet
Industrial wastes	as approved
Septic or Holding Tanks	50 feet

Surface/subsurface sewage disposal fields	100 feet
Sewage seepage pits, cesspools	100 feet
Privies	50 feet
Fuel Tanks	as approved
Other (ditches, streams, barnyards, etc.)	as approved

Additional Location Restrictions

Driveways	10 feet
Principal structure /dwelling	20 feet
Property Lines and Right-of-Way [Easement Lines	10 feet

B. Construction

1. Source. The source of supply shall be from a geologic formation a group of formations, or \_part of a formation, that contains water in its voids or pores.
2. Casing.
  - (a) The well shall have a water-tight and durable wrought iron, steel, or other type of approved casing with a minimum thickness of 3/16 (.1875) inches and six and five-eighths (6 5/8) inches, outside diameter. The sections of casing shall be joined together by threaded couplings or frill circumferential welding for ferrous materials, and threaded or screwed or threated and screwed couplings or solvent welding for polyvinylchloride (PVC). Other nonferrous casing joining must meet ANSI/AWWA Standard AI00, latest edition.
  - (b) Casing shall be installed to a minimum depth of twenty (20) feet from the finished grade and in any case shall extend ten (10) feet into competent bedrock. Driven wells shall be provided with a drive shoe or other effective casing seal.
  - (c) An annular space shall be provided between the well casing and the earth formation of a radius at least one and one half (1 ½) inches greater than the casing radius, excluding coupling for internal pressure grouting, or one and one half (1 ½) inches greater than the casing radius, excluding coupling for external grouting. The annular space shall be completely filled with impervious cement grout or equivalent sealing material from bottom of the casing to the ground surface. External grouting shall be accomplished utilizing a tremie pipe and grout pump to force out any standing water on the outside of the well casing.

- (d) The top of the well casing shall extend a minimum of twelve (12) inches above the finished grade of the lot so that contaminated water or other substances cannot enter the well through the annular opening at the top of the well casing, wall or pipe sleeve.
  - 3. Capping. A welded metal plate or bolted cap shall be the minimum acceptable method of capping a well. The well shall also be equipped with a sanitary seal. All well caps shall indicate well driller's name, depth of well and depth of casing.
  - 4. Drainage. The ground at all potable water wells or water sources shall be graded so that surface drainage will be diverted away from the well or water source, and so ponding does not occur at the well or water source.
- C. Flow Requirements. This Ordinance places no restrictions on the quantity or content of water. The acceptability of water quantity or content is the sole responsibility of the property owner, subject to any state or federal limits or restrictions.
- D. Well Certification. A report for each well shall be prepared by the driller and shall be submitted to Fawn Grove Borough for evaluation and approval. The well report shall contain the following pertinent information:
- |                       |                           |
|-----------------------|---------------------------|
| Owner of property     | Subdivision & Lot Number  |
|                       | Uniform Parcel Identifier |
|                       | Number                    |
| Date of Completion    | Depth of Casing           |
| Depth of Well         | Static Water Level        |
| Well Driller          | Yield in Gals/Min.        |
| Type & Size of Casing | Type & Depth of Grouting  |
- E. Dug Wells and Surface Water Springs. No new hand dug wells or surface water springs will be permitted in the Borough due to the great danger of pollution and unreliability of water supply for new parcels of lands being developed.
- F. Abandoned Water Supplies. All wells which are not to be used shall be sealed by such methods as necessary to restore the controlling hydrogeologic conditions which existed prior to construction. The well abandonment procedures outlined in ANSI/AWWA Standard A1 00, latest edition, shall be followed.

## **SECTION 5. PERMITS.**

- A. No construction, drilling, digging, reconstruction, major repair, placing in service a previously drilled well, or other change of or for any well/water supply for the production of water for domestic purposes shall commence unless the property owner, or his/her duly authorized agent, shall apply for and receive a permit for such construction activity from the Borough.
- B. Application for a well permit shall be made upon a form supplied by the Borough and shall be submitted to the Borough Sewage Enforcement Officer for review and approval.
- C. The application shall set forth the following:
  - 1. Name(s) of property owners
  - 2. Address or location of property
  - 3. Scale/sketch of premises showing proposed location of well, buildings, septic tanks, drain fields, existing or proposed stormwater pits, and boundary lines.
  - 4. Name, address and telephone number of well driller.

## **SECTION 6. INSPECTION.**

- A. Prior to issuance of a well permit a sewage permit must be secured by the applicant. Alternatively, if the well is placed on the property prior to substantial completion of all improvements, including structures, driveways and septic systems, including drain fields, then any permits subsequently issued for such improvements shall require those improvements to meet the minimum distances from the well as set forth in Section 4 of this Ordinance.
- B. Upon receipt of an application for a well permit, the Borough Sewage Enforcement Officer, shall within seven (7) days perform an inspection of the premises on which the well is to be constructed. The inspection shall be conducted in accordance with the provisions of this Ordinance.
- C. Upon completion of the inspection, the Sewage Enforcement Officer shall either:
  - 1. issue a permit to the applicant indicating the approved location for the well and special instructions for construction, if any or
  - 2. refuse to issue the permit, and, in such event, shall provide the applicant with written reasons for such refusal.

**SECTION 7. WATER SUPPLY INSPECTION.** Upon completion of construction, or at such other time as the Borough Sewage Enforcement Officer may deem appropriate,

the Sewage Enforcement Officer shall perform a final inspection of the well/water supply to determine whether there has been compliance with the permit issued. Upon completion of the inspection, the Sewage Enforcement Officer shall (a) issue an "APPROVAL OF OPERATION" upon the original permit, or (b) deny such approval due to non-compliance with the permit issued, in which event, written reasons for such denial shall be noted on the original permit.

**SECTION 8. FEES.** All applications for a well permit shall be accompanied by a fee established by resolution payable to the Borough in accordance with a schedule of fees established/revised from time to time.

**SECTION 9. EFFECTIVE DATE OF PERMIT.** All permits shall be in effect as of the date of issuance, and shall remain in effect for a period of one (1) year. In the event that water supply construction under the permit has not been completed at the expiration of one (1) year from the date of issuance, the permit shall expire and the validity of the permit shall cease and terminate.

**SECTION 10. NOTICE.** Upon discovery of a violation, the Borough through its appointed representative, including but not limited to the Codes Enforcement Officer, Zoning Officer, Sewage Enforcement Officer, Solicitor, Borough Secretary, Borough Manager (if any) or any other person so designated by the Borough shall notify in writing the landowner, and if different and if known to the Borough, the occupant of the property, as well as anyone who has created or assisted in creating the violation, if known to the Borough, of the alleged violation, and shall give the landowner no less than ten (10) nor more than thirty (30) days from the date of the notice to comply with the terms of this Ordinance.

Notwithstanding any other provisions of this Section, if the Codes Enforcement Officer in consultation with the Borough Engineer determines that a violation of this Ordinance constitutes imminent danger or harm to the general public or a portion of the public, then the designated Borough officer can in his or her sole discretion shorten the notice periods and the Borough can pursue all legal remedies available to it without notice to the landowner as provided in subsection A.

**SECTION 11. VIOLATIONS.** Any person who violates any provision of this Ordinance shall commit a summary violation, and upon conviction before a District Justice of competent jurisdiction, shall be subject to a fine of not more than Five Hundred Dollars (\$500.00) for each offense. For purposes of this Ordinance, each day of a violation shall be considered a separate violation of this Ordinance.

Notwithstanding any other provisions of this Section, nothing in this Section or elsewhere in this Ordinance shall prohibit the Borough from pursuing any and all other courses of action legally available to the Borough to remedy the violations of this Ordinance, or to abate any nuisances created by violation of this Ordinance, or any condition which in the sole discretion of the Borough creates a danger to the health, safety and welfare of the

public or any portion of the public, including but not limited to civil actions, actions in equity, or injunctive relief before courts of competent jurisdiction.

**SECTION 12. LIABILITY.** No responsibility, or liability for the construction of any well/water supply shall be deemed to be placed upon Fawn Grove Borough, or its officers, agents, or employees by virtue of the terms of this Ordinance or otherwise.

**SECTION 13. SEVERABILITY.** If any section, subsection, sentence or clause of this ordinance is held, for any reason to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this ordinance,

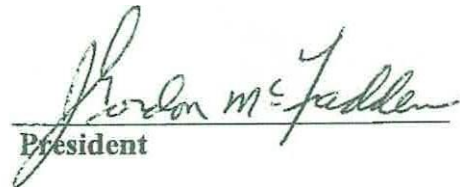
**SECTION 14. EFFECTIVE DATE.** This Ordinance shall be effective five (5) days after enactment.

**ADOPTED AND ORDAINED this 7<sup>th</sup> day of June 2016.**

**ATTEST;**

**FAWN GROVE  
BOROUGH COUNCIL**

  
Secretary

  
President

Approved this 7<sup>th</sup> day of June 2016.

By:   
Mayor