

## TITLE IV - HEALTH ORDINANCES (Chapters 30-37)

**CHAPTER 33****NONPUBLIC WATER WELLS**

33.01	Purpose.	33.05	Permit Requirements.
33.02	Definitions.	33.06	Appeal.
33.03	General Requirements.	33.07	Penalty.
33.04	Geothermal Heat Pump Wells.	33.08	Severability Clause.

**33.01 PURPOSE.**

To protect the health of Warren County residents by protecting the quality of drinking water from nonpublic water wells and/or by fairly implementing State standards for nonpublic water.

**33.02 DEFINITIONS.**

For use in this chapter, the following terms are defined:

1. "County Sanitarian" means an employee of Warren County Environmental Health authorized by the Board of Health to inspect and evaluate existing nonpublic water wells and construction of new nonpublic water wells.
2. "Water Well" means an excavation that is drilled, cased, bored, augured, washed, driven, dug, jetted, or otherwise constructed for accessing ground water.
3. "Geothermal Heat Pump Well" means an excavation exceeding a 20-ft depth that is drilled, cased, bored, augured, washed, driven, dug, jetted, or otherwise constructed for the purpose of utilizing the geothermal properties of the ground.

**33.03 GENERAL REQUIREMENTS.****1. Safe Water Supply Required.**

Any dwelling or structure occupied by humans located within the County shall have an approved, safe water supply and/or water supply system for human consumption.

**2. State Code of Iowa Adopted effective October 5, 2021.**

- a. Effective October 5, 2021, Warren County adopts the following:
  - i. Iowa Administrative Code 567, Chapter 24 "Private Well Testing, Reconstruction, and Plugging – Grants to Counties."

- ii. Iowa Administrative Code 567, Chapter 38 “Private Water Well Construction Permits.”
  - iii. Iowa Administrative Code 567, Chapter 39 “Requirements for Properly Plugging Abandoned Wells.”
  - iv. Iowa Administrative Code 567, Chapter 49 “Nonpublic Water Wells.”
  - v. Iowa Administrative Code 567, Chapter 82 “Well Contractor Certification.”
- b. Warren County residents must comply with the above listed Chapters of the Iowa Administrative Code and all regulations promulgated by the Warren County Board of Health.

#### **33.04 GEOTHERMAL HEAT PUMP WELLS.**

1. **Manufacturer recommendations.** Construction of geothermal heat pump wells shall meet or exceed manufacturer recommendations.
2. **Permit required.** When obtaining a permit to install a geothermal heat pump system, the contractor or homeowner must apply for a permit within the Warren County Environmental Health Office prior to construction.
3. **Notify County Sanitarian.** Upon installation of a geothermal heat pump well, the driller shall notify the County Sanitarian prior to the burial of any geothermal loops at the ground surface.

#### **33.05 PERMIT REQUIREMENTS.**

Upon approval of the permit application by the County Sanitarian, the permit shall be issued following the payment of required applicable fees made payable to Warren County Health Services. Fees for well permits shall be set by the Board of Health by separate resolution.

#### **33.06 APPEAL.**

Any person who feels aggrieved by any notice or order made by the County Sanitarian shall appeal to the Warren County Board of Health within 15 days of the Sanitarian’s issuance of the notice or order, and a hearing shall be held within 10 days. Further appeal will go before the Board of Supervisors, within 15 days, in writing, and a hearing shall be held within 10 days of the appeal. Any person aggrieved by the Board of Supervisors decision shall appeal to the District Court within 20 days.

**33.07 PENALTIES.**

Any property owner violating Chapter 33 herein shall be subject to civil penalties set forth in Chapter 2, County Infractions, Warren County Code of Ordinances.

**33.08 SEVERABILITY CLAUSE.**

If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, paragraph, provision, or part thereof not adjudged invalid or unconstitutional.

