

232985

ORDINANCE NUMBER 01-20^a-03

AN ORDINANCE PROHIBITING THE USE OF GROUNDWATER AS A POTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD

WHEREAS, certain properties in the Village of Arthur have been used over a period of time for commercial/industrial purposes; and

WHEREAS, because of said use, concentrations of certain chemical constituents in the groundwater beneath the Village may exceed Class I groundwater quality standards for potable resource groundwater as set forth in 35 Illinois Administrative Code 620 or Tier 1 residential remediation objectives as set forth in 35 Illinois Administrative Code 742; and

WHEREAS, the Village of Arthur desires to limit potential threats to human health from groundwater contamination while facilitating the redevelopment and productive use of properties that are the source of said chemical constituents;

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE BOARD OF THE VILLAGE OF ARTHUR, ILLINOIS:

1: Use of groundwater as a potable water supply prohibited.

Except for such uses or methods in existence before the effective date of this ordinance, the use or attempt to use as a potable water supply, groundwater from within the corporate limits of the Village of Arthur by the installation or drilling of wells or by any other method is hereby prohibited, including at points of withdrawal by the Village of Arthur.

2: Penalties.

Any person violating the provisions of this ordinance shall be subject to a fine of up to \$500.00 and costs of prosecution for each day, or part thereof, of violation.

3: Definitions.

Person is any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, or any other legal entity, or their legal representatives, agents or assigns.

Potable water is any water used for human or domestic consumption, including, but not limited to, water for drinking, bathing, swimming, washing dishes or preparing foods.

4: Repealer.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed insofar as they are in conflict with this ordinance

5: Severability.

If any provision of this ordinance or its application to any person or under any circumstances is adjudged invalid, such adjudication shall not affect the validity of the ordinance as a whole or any portion not judged invalid.

6: Effective date.

This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

PASSED and PUBLISHED in Pamphlet form by the President and Village Board of the Village of Arthur, Illinois on the 20th day of January, 2003.

AYES:

NAYS:

ABSENT:

Diane E. Conner
Village Clerk of the Village
of Arthur, Illinois

APPROVED by the President of the Village of Arthur, Illinois this 20th day of January, 2003.

David J. Conlin
President of the Village of
Arthur, Illinois

ATTESTED:

Diane E. Conner
Village Clerk of the Village
of Arthur, Illinois

CERTIFICATE

I, DIANE CONNER, Village Clerk of the Village of Arthur, Counties of Moultrie and Douglas, in the State of Illinois, DO HEREBY CERTIFY that the attached Ordinance No. 01-20_-03 is a true and correct copy of the original Ordinance passed by the President and Board of Trustees of the Village of Arthur, Illinois on January 20, 2003.

I further certify that the original Ordinance is a part of the official records of the said Village of Arthur, Illinois.

Given under my hand and seal this 20th day of January, 2003.

Diane E. Conner

Village Clerk of the Village of Arthur, Counties of Moultrie and Douglas, State of Illinois



JAN 22 2003

FILED For Record

At 8:30 AM. *Russell J. Ryan* Recorder

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