

ORDINANCE NO. O2019-013

AN ORDINANCE OF THE CITY OF SHAKOPEE ADDING SECTION 130.21 TO THE CITY CODE PROHIBITING PRIVATE WELLS ON PROPERTIES WHERE CITY WATER SERVICES ARE AVAILABLE WITHIN 1000 FEET

Whereas, the City Council of the City of Shakopee finds that it is necessary to protect the integrity of the City Water Utility and its system to ensure adequate water supplies to meet the health, safety and welfare needs of the City and its residents; and

Whereas, to accomplish the above purpose, the City Council desires to prohibit the drilling or construction of private wells for domestic use on properties where City water Services are available within 1000 feet, unless allowed by a previous written agreement with the City or its Utilities Commission.

The City Council of Shakopee, Minnesota ordains:

Section 1. Chapter 130 of the Shakopee City Code is amended to add the following Section:

§ 130.21 PRIVATE WELL PROHIBITION

(A) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

- (1) ***Domestic use*** means water that is used for drinking or potable water, non-potable water or irrigation purposes, but shall not include water from wells drilled for purposes such as dewatering, groundwater monitoring, heating or cooling, elevator borings or environmental bore holes.
- (2) ***Irrigate*** means to supply land with water by any artificial means, as by diverting streams, flooding, or spraying, to moisten or wet.
- (3) ***Private Well for Domestic Use*** means any well not owned by the City Water Utility that are drilled for potable water, non-potable water or irrigation purposes including sand point or drive point wells. “Private Wells for Domestic Use” shall not include wells drilled for such purposes as dewatering, groundwater monitoring, heating or cooling, elevator borings or environmental bore holes.
- (4) ***Sand point or drive point well*** means a shallow well that is a 1-1/4 to 2-inch steel casing constructed by driving or pounding the casing down into the ground until an aquifer is encountered.

(b) *Prohibition.* No Private Well for Domestic Use may be drilled or otherwise constructed on or after January 1, 2020 on any property where City Water Utility Service is available within 1,000 feet unless the City or its Public Utilities Commission has previously entered into an agreement with the property owner allowing for the drilling or construction of a Private Well for Domestic Use.

Section 2. Effective Date. This ordinance becomes effective from and after its adoption and publication

Passed by the City Council of Shakopee, Minnesota this 6th day of November 2019.

Mayor

Attested:

City Clerk