

Summary of Ground Water Protection Ordinance Elements

Section 1 states the title and the purpose of the ordinance.

Section 2 states what the ordinance applies to and that the ordinance does not supercede any other ordinances/land use regulations already in place.

Section 3 lists definitions of terms used in the ordinance.

Section 4 defines the area covered by the ordinance, or the “critical area”, which is a 1000-foot radius around the public supply well.

Section 5 lists the types of facilities that are prohibited in the critical area. These are the “significant potential sources of contamination” that were identified in the source water assessment program. The list can be modified if the community chooses to do so.

Section 6 is the grandfather clause for existing facilities. If the facility already exists when the ordinance is adopted it can remain there. Replacement or repair is permitted but facilities and activities may not be added or expanded unless it can be shown that undue hardship would result. Part A covers special permits for these cases as well as uses that are not addressed in Section 5. Part B covers the procedures for issuance of special permits, including appeals from denial of special permits.

Section 7 is the saving clause meaning that each part of the ordinance stands alone. If one part of the ordinance is found to be invalid it does not nullify the remainder of the ordinance.

Section 8 addresses the mechanism for handling violations of the ordinance.

Section 9 is the enforcement clause, the “teeth” of the ordinance.