

MONROE COUNTY ENVIRONMENTAL HEALTH/SANITARY CODE  
CHAPTER III - WATER SUPPLIES

SECTION 300 SPECIFIC DEFINITIONS

300.01 Abandoned

- (a) A well which has its use permanently discontinued;
- (b) A well which is in such disrepair that its continued use for the purpose of obtaining groundwater is impractical;
- (c) A well which has been left uncompleted;
- (d) A well which is a threat to groundwater resources; and
- (e) A well that is or may be a health or safety hazard.

All abandoned wells shall be plugged in accordance with Part 127 of Act 368 of the Public Acts of 1978, as amended.

300.02 Alternate Water Supply System

“Alternate Water Supply System “ means an onsite water supply system that is not a properly constructed onsite well, or a direct connection to a municipal public water supply. The onsite water supply shall meet applicable local, state, and federal health laws, regulations and standards.

300.03 Approved Construction Material

“Approved Construction Material” means materials approved for construction of a well or water supply system in accordance with Part 127 of Act 368 of the Public Acts of 1978, as amended. Black steel pipe shall not be an approved construction material for a well or water supply system

300.04 Approved Potable Water Supply

“Approved potable water supply” means a drilled well or a municipal water supply.

300.05 Consecutive Water Samples

“Consecutive Water Samples” means those samples taken by the Health Officer no less than eight hours apart and not more than 15 days apart.

300.06 Contaminated Water Supplies

Unless otherwise provided for in these regulations, when at least two consecutive samples of water from an existing water supply show the presence of coliform said water supplies may be condemned by the Health Officer in writing until such supply is corrected as described in Section 301.04.

### 300.07 Extensive Change

“Extensive Change” means a change that requires the entire water system to meet the requirements of this regulation unless a variance is issued pursuant to the provisions of this Code. This shall include relocation of a similar pump, relocation of a buried suction or pressure line, replacing the entire casing, removing a casing from the ground, exposing a buried well head, installing a pitless adapter, changing screen elevations, deepening or plugging back a bedrock well, hydraulic fracturing of a well, installing a liner pipe, or changing aquifers.

### 300.08 Public Water Supply

Waterworks system which provides water for drinking or household purposes to persons other than the supplier of water. Public water supplies are defined in Act 399, Public Acts of 1976, as amended:

- (a) Type I: All community supplies are classified as Type I public water supplies.
- (b) Type II: All non-community supplies are classified as Type II public water supplies.
  - 1) Type IIa: Type IIa public water supplies are Type II public water supplies with an average daily water production for the maximum month equal to or greater than 20,000 gallons per day.
  - 2) Type IIb: Type IIb public water supplies are Type II public water supplies with an average daily water production for the maximum month of less than 20,000 gallons per day.
- (c) Type III: All public water supplies which are not Type I or Type II public water supplies shall be classified as Type III public water supplies.

### 300.09 Water Supply System

“Water Supply System” means a well, pump, and pumping equipment to supply water to a single or two family dwelling and nonresidential facilities.

### 300.10 Well

“Well” is defined as an opening in the surface of the earth for the purpose of: obtaining groundwater, monitoring the quality or quantity of groundwater, obtaining geologic information on aquifers, recharging aquifers, purging aquifers, utilizing the geothermal properties of earth formations or removing groundwater for any purpose. Wells as defined in this section shall include:

- (a) A water supply well used to obtain potable water for drinking and/or domestic purposes;
- (b) An irrigation well that is used to provide water for plants, livestock, filling of lakes or ponds, or other agricultural processes;
- (c) A heat exchange well used for the purpose of utilizing the geothermal properties of earth formations for heating or air conditioning;
- (d) An industrial well used to supply water for industrial processes, fire protection, or similar non-potable uses;
- (e) A test well used to obtain information on groundwater quantity, quality, or aquifer characteristics for the purpose of designing or operating a water supply well;
- (f) A recharge well used to discharge water into an aquifer;

- (g) A dewatering well used to lower the groundwater level temporarily at a construction site;
- (h) A fresh water well at an oil or gas well drilling site.

## SECTION 301 JURISDICTION AND ADMINISTRATION

### 301.01 Jurisdiction

These regulations apply to all water supply systems within Monroe County, excluding monitoring wells and Type I public water supplies.

### 301.02 State Laws and Regulations

Onsite water supplies, groundwater supplies, well drillers, pump installers, and water haulers shall conform to the applicable requirements of Part 127 of Act 368 of the Public Acts of 1978, as amended and Act 399 of the Public Acts of 1976, as amended, and to the rules and regulations adopted pursuant to said Acts.

### 301.03 Approvals

The Health Officer shall make such inspections or evaluations as deemed necessary to determine that a water supply system complies with the provisions of the Monroe County Environmental Health/Sanitary Code and Part 127 of Act 368 of the Public Acts of 1978, as amended.

### 301.04 Correction of Contaminated Water Supplies

Unless otherwise provided for in these regulations, contaminated water supplies shall be disinfected, developed, repaired or plugged, in accordance with Part 127 of Act 368 of the Public Acts of 1978 as amended. In addition, to meet the requirements of release from condemnation, at least two consecutive water samples shall indicate coliform is not present in the water supply.

### 301.05 Immediate Health Hazard

Contaminated water supplies that in the judgment of the Health Officer represent an immediate health hazard, shall be posted with suitable signs at each outlet, or the outlets shall be made inoperative.

### 301.06 Penalty

Any person violating these regulations or any provision of these regulations shall be guilty of a misdemeanor as stated in Section 100.05 of the Monroe County Environmental Health/Sanitary Code.

### 301.07 Water Supplies Required

Every habitable building shall be provided with an approved potable water supply system from which a minimum of 8 gallons of water per minute measured after two hours of continuous pumping shall be available at all times to meet the needs of all the occupants of said building.

## SECTION 302      WATER SUPPLY PERMITS

### 302.01 Permit Required

Prior to any new construction, or extensive change affecting the basic unit or the suction line on any water supply system covered by these regulations, the owner, well driller, or pump installer shall obtain a permit from the Monroe County Health Department except as provided for in Section 302.02. The owner is responsible for supplying the necessary information which, in the judgment of the Health Officer, may consist of, but not be limited to, the location of the proposed onsite water supply, engineering drawings, maps, elevations of recorded or predicted floods, subsurface geological formations, locations of nearby sources of pollution, the intended use of the proposed water supply, and detailed plans of the proposed water supply system. A permit fee, as stated in the Health Department Fee Schedule, shall be made payable to the Monroe County Health Department. When a permit is required for an extensive change, the water supply system shall meet the construction requirements of Part 127 of Act 368 of the Public Acts of 1978, as amended and Act 399 of the Public Acts of 1976, as amended and to the rules and regulations adopted pursuant to said Acts.

### 302.02 Permits Issued by the Michigan Department of Environmental Quality

If required under Act 399 of the Public Acts of 1976, as amended, and to the rules and regulations adopted pursuant to said Act, the owner, well driller, or pump installer is required to obtain a permit directly or exclusively from the Michigan Department of Environmental Quality, it shall not be a requirement to obtain a permit from the Monroe County Health Department. When the Monroe County Health Department issues a permit for the installation or alteration of a public water supply system, under an agreement, contract, or cooperative arrangement as stated in Act 399 of the Public Acts of 1976, as amended, said permit shall be issued in accordance with Section 302.01 of these regulations.

### 302.03 Expiration of Permit

Any permit issued pursuant to the requirements of this chapter shall be valid for the term of 12 months from the date of issuance, unless declared void as provided for in Section 302.05 and no construction, alteration, and/or extension shall continue without renewal of said permit. Said permit shall not be transferable to any new owner or to another location on the same parcel of property or to a different location and/or owner at a different parcel of property. One 60-day permit extension may be granted providing the request for the extension is received in writing and prior to the expiration of said permit.

### 302.04 Priority Over Building Permits

No city, village, township, or agency shall issue a building permit or otherwise allow commencement of construction of any premises where public water supplies are not available until a permit has first been obtained from the Health Officer for a water supply system. No city, village, township, or agency shall issue a building permit or otherwise allow commencement of construction of an addition or major alteration to an existing habitable building if a municipal water supply system is not available until approval for the continued use of the existing water supply system has been given by the Health Officer or until a permit has been issued by the Health Officer for the construction of a water supply system.

### 302.05 Stop Work Order - Void Permit

When during construction, any new work or extensive change to an onsite water supply system is found in violation with the provisions of these regulations, the Health Officer may issue a stop work order by posting said notice at the site. Any valid water supply construction permit shall be declared void when a "Stop Work Order" is posted on the premises.

### 302.06 Alternative Water Supply System Permit

If a water well cannot be constructed in compliance with the provisions of these rules regulations due to hydrogeological limitations, the Health Officer may authorize the use of an alternate water supply system. Plans and specifications including monitoring, operating, and maintenance for the alternate water supply system shall be reviewed and approved by the Health Officer. Prior to issuance of an alternative water supply system permit an affidavit shall be signed and recorded with the Monroe County Register of Deeds. The affidavit referred to in this section shall become null and void when the single or two family habitable building or nonresidential structure connects to a municipal water supply.

### 302.07 Alteration or Repair of Existing Buildings – Permit Required

All water supply systems shall conform to the minimum construction requirements of this regulation if the following applies to the building(s) being served by the system:

- (a) Reconstruction after existing structure is voluntarily demolished; or
- (a) Reconstruction after fire or casualty destroys over 50% of the building; or
- (c) Reconstruction of existing building that exceeds 50% replacement.