

ORDINANCE NO. 170

AN ORDINANCE REPEALING ORDINANCE NO. 126 AND ADOPTING REVISED RULES, REGULATIONS AND STANDARDS FOR WATER WELLS, REQUIRING WATER WELL PERMITS AND SETTING STANDARDS FOR WATER WELLS WITHIN THE CORPORATE CITY LIMITS OF THE CITY OF TIOGA, GRAYSON COUNTY, TEXAS; SETTING A FEE FOR WATER WELL PERMITS; PROVIDING FOR A PENALTY FOR VIOLATIONS OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TIOGA, TEXAS:

In order to promote the public health, safety and welfare of the citizens of Tioga, Grayson County, Texas, and in order to conserve resources within the municipal boundaries of the City of Tioga, the City Council of the City of Tioga does hereby adopt the following regulations for water wells within the City of Tioga, Grayson County, Texas:

Section I.

Ordinance No. 126 previously adopted by the City Council on June 25, 1993, is hereby repealed and this ordinance substituted in place thereof.

Section II.

No water well shall be dug, drilled, bored or in any manner made by penetrating the ground surface within the City of Tioga without first obtaining a permit from the City of Tioga, a Texas Municipal Corporation.

Section III.

A water well permit shall be obtained by filing an application with the city of Tioga, such application to be accompanied by a non-refundable fee, payable to the City of Tioga in the amount of \$50.00, which shall be an amount sufficient to cover all costs incurred by the City in reviewing, inspection and supervising the water wells covered by such a permit.

The application for the water well permit shall contain at least the following information:

- (1) Name of person to whom permit is requested.
- (2) Legal description of property and street address of well.

- (3) Exact location of well on property.
- (4) Purpose or use to be made of well.

Section IV.

Water obtained from wells other than those owned and/or operated by the City of Tioga shall be used for watering vegetation or irrigation only and not for any other domestic or commercial purposes. Under no circumstances shall water from the wells described in this Ordinance be connected to or cross-connected with the City of Tioga water system.

Section V.

Prior to construction of or beginning digging, drilling or boring any water well within the City of Tioga, notice shall be given to the City to permit inspection of the well prior to, during and upon completion of the well.

Section VI.

No water well shall be drilled, dug or bored deeper than 425 feet below the surface. Any such well shall be properly secured and cased and enclosed at least 18 inches above the ground. Any water well drilled, dug or bored within the City limits shall be drilled, dug or bored by a licensed water well contractor.

Section VII.

Any water from the well drilled within the City of Tioga under the terms of this ordinance shall, at the expense of the owner of the well, be tested by the appropriate state or county health or water departments and the results of that test furnished to the city to demonstrate that the water contains no biological, or other substance injurious to plant or animal life. Any well containing any substance injurious to plant or animal life or the citizens of Tioga shall be securely capped or plugged and its flow controlled so as not to injure any person or property or to contaminate any water or sewer lines in the City of Tioga.

Section VIII.

All water wells now in use and existence shall comply with the standards of this ordinance within one (1) year of the passage of this ordinance.

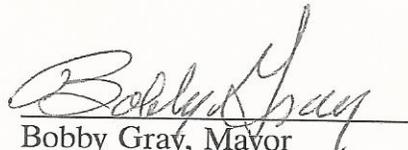
Section IX.

Any person, firm, business partnership, corporation or other individual or operation violating any provision of this ordinance shall be guilty of a misdemeanor and shall be fined by an amount not to exceed FIVE HUNDRED AND NO/100 DOLLARS (\$500.00). Each day that a violation continues shall constitute a separate offense.

Section X.

This ordinance shall become effective immediately upon passage and following publication as required by law.

PASSED and APPROVED on this 12th day of October, 1998.


Bobby Gray, Mayor
City of Tioga

ATTEST:


City Secretary, Donna Sinclair