



- (ii) Holes or excavations for soil percolation tests.
- (iii) Drill holes for seismic exploration where such drill holes are less than twenty five (25) feet in depth.
- (iv) Excavations for drainage percolation ponds or spreading basins."

or (b) wells used for the purpose of (1) dewatering excavation during construction, or (2) stabilizing hillsides or earth embankments.

B. "Community Water Supply Well." A water well for domestic purposes in systems subject to Chapter 7 of Part 1 of Division 5 of the California Health and Safety Code.

C. "Individual Domestic Well." A water well used to supply water for domestic needs of an individual residence or commercial establishment.

D. "Industrial Wells." Water wells used to supply industry on an individual basis.

E. "Agricultural Wells." Water wells used to supply water for irrigation or other agricultural purposes, including stock wells.

F. "Salt Water (Hydraulic) Barrier Wells." Wells constructed to extract or introduce water into the ground as a means of preventing intrusion of salt water into a fresh water-bearing aquifer.

G. "Cathodic Protection Well." Means any artificial excavation in an aquifer or in excess of 50 feet, constructed by any method for the purpose of installing equipment or facilities for the protection electrically of metallic equipment in contact with the ground commonly referred to as cathodic protection.

H. "Test or Exploratory Hole." An excavation used for determining the nature of underground geological or hydrological conditions, whether by seismic investigation, direct observation or any other means.

I. "Electrical Grounding Well." Any artificial

excavation in an aquifer or in excess of 50 feet, constructed by any method for the purpose of establishing an electrical ground.

J. "Observation Well." A well used for monitoring or sampling the condition of a water-bearing aquifer, such as water pressure, depth, movement or quality.

K. "Contamination." An impairment of the quality of water to a degree which creates a hazard to the public health through poisoning or through spread of disease.

L. "Pollution." An alteration of the quality of water to a degree which unreasonably affects (1) such waters for beneficial uses, or (2) facilities which serve such beneficial uses. Pollution may include contamination.

M. "Modification or Repair." The deepening of a well, re-perforation, sealing or replacement of a well casing.

N. "Health Officer." The City Health Officer of the City of El Paso de Robles, California, his medical deputies, his sanitarians, or his duly authorized representatives.

O. "Completion or Completion Operation." Any work conducted after artificial excavation to include (1) placement of well casing, (2) gravel packing, (3) sealing, (4) casing perforation, or (5) other operations deemed necessary by the Health Officer.

P. "Destruction or Destroy." The complete filling of a well in such a manner that it will not produce water or act as a conduit for the interchange of water, when such interchange will result in deterioration of the quality of water in any water-bearing formations penetrated.

Q. "Well Drilling Contractor." Means a contractor licensed in accordance with the provisions of the California Contractor's Law, Chapter 9, Division 3, of the Business and Professions Code, commencing with Section 7000.

R. "Public Nuisance." When applied to a well, means any well which threatens to impair the quality of ground water or otherwise jeopardize the health and safety of the public.

S. "Person." Shall include any person, firm, association, corporation, organization, partnership, business trust, company or special district formed under the laws of the State of California.

T. The terms "abandoned" or "abandonment" shall apply to a well which has not been used for a period of one year, unless the owner declares in writing to the Health Officer, his intention to use the well again for supplying water or other associated purpose (such as an observation well or injection well) and receives approval of such declaration. All such declarations shall be renewed annually. Test holes and exploratory holes shall be considered abandoned twenty-four (24) hours after construction work has been completed, unless otherwise approved by the Health Officer.

14.06.030 ACTS PROHIBITED, PERMIT REQUIRED

A. No person, firm, corporation or special district formed under the laws of this State shall within the City, construct, repair, modify or destroy any well unless such person possesses a valid permit issued by the Health Officer of the City as provided in this ordinance and approved by the City Council of the City of El Paso de Robles.

B. No person shall construct, repair, modify or destroy any well unless such construction, repair, modification or destruction is in conformance with the terms, conditions, and standards specified in this chapter and in the written permit issued by the Health Officer and approved by the City Council of the City of El Paso de Robles.

14.06.040 PERMITS

A. Applications: Applications for permits shall be made to the Health Officer and shall include the following:

- 1). A plot plan indicating the exact location of the well with respect to the following items within a radius of 200 feet of the well:
  - a. Property lines.
  - b. Sewage disposal systems or works carrying or containing sewage or industrial waste.
  - c. All intermittent or perennial, natural or artificial water bodies or water courses .
  - d. Drainage pattern of the property.
  - e. Existing wells.
  - f. Access roads.
- 2). Location of the property. (Include township, range and section).
- 3). Name of the person who will construct the well.
- 4). Estimated or proposed depth of well.
- 5). Use of well.
- 6). Other information as may be necessary to determine if underground waters will be protected.

B. Fees:

- 1). Permit application fees. Every permit application except those made by a public agency shall be accompanied by a fee of \$10.00, none of which shall be refundable.
- 2). Expiration of permit. Each permit issued pursuant to this chapter shall expire within six (6) months following the issuance of the permit. Upon expiration of any permit issued pursuant hereto, no further work may be done in connection with construction, repair, modification, or abandonment of a well unless and until a new permit for such purpose is secured in accordance with the provisions of this chapter.

C. Prohibition: No permit shall be issued to any person who is not a well drilling contractor, provided that a permit may be issued to an owner or occupant of property who does the work of construction, repair, modification or destruction of a well located

on such property himself or through his own employees; and provided further that a permit may be issued to any person exempt from the provisions of the Contractor's License Law, Chapter 9, Division 3, of the Business and Professions Code (commencing with Section 7000).

D. Bonds: As a condition precedent to the issuance of a permit, every applicant for a permit shall file or have on file with the Health Officer, a corporate surety bond in the sum of \$2,500.00 issued by a surety company licensed to do business in this State, or in lieu thereof, a cash deposit in the sum of \$2,500.00. As used in this subsection, the term "cash deposit" shall include, without limitation, certificates of deposit payable to the City issued by banks doing business in this State, investment certificates or share accounts assigned to the City and issued by savings and loan associations doing business in this State, or bearer bonds issued by the United States Government or by this State.

Said surety bond shall be conditioned to secure the compliance and faithful performance by the permittee of the terms, conditions and standards imposed by this chapter, or by any permit issued hereunder.

If cash is deposited in lieu of such bond, said cash deposit shall secure the compliance and faithful performance by the permittee of the terms, conditions and standards imposed by this chapter, or by any permit issued hereunder.

E. Conditions: Permits shall be issued subject to compliance with the standards provided in 14.06.040 of this chapter.

F. Term, Completion of work: The permittee shall complete the work authorized by the permit prior to the expiration date set forth in the permit. The permittee shall notify the Health Officer in writing upon completion of the work and such work shall not be deemed to

have been completed until such written notification has been received.

G. Reports: A copy of the well driller report required under Section 17351, California Water Code, shall be submitted to the Health Officer upon completion of construction of each well.

H. Appeal Procedure: Any person aggrieved by the refusal of the Health Officer to issue a permit or by the terms of a permit may appeal from the action of the Health Officer to the City Council by filing a written notice of appeal with the City Clerk. The Clerk shall set the matter for hearing before said Council and shall give reasonable notice of the time and place thereof to the applicant and to the Health Officer. The Council shall hear the said evidence offered by the applicant or permittee and the Health Officer, and shall forthwith decide the issue. Unless the City Council shall rescind the Health Officer's action by a majority vote, his decision shall be deemed affirmed.

14.06.050 INSPECTION

The Health Officer and his inspectors may at any and all reasonable times enter any and all places, property, enclosures and structures for the purpose of making examinations and investigations to determine whether any provisions of this chapter is being violated. The Health Officer may require that each completion, modification, repair or destruction operation be inspected prior to any further work.

14.06.060 STANDARDS

Standards for the construction, repair, modification or destruction of wells shall be as set forth in Chapter II of the California Department of Water Resources Bulletin No. 74, "Water Well Standards": State of California and its Appendices E, F and G.

14.06.070 PUBLIC NUISANCE

In the event the Health Officer determines that a well

constitutes a public nuisance, he shall abate said nuisance, in accordance with the provisions of Title 9, Chapter 9.06 of the City Code.

14.06.080 IMMEDIATE ABATEMENT

If the Health Officer finds that immediate action is necessary to prevent impairment of the ground water or a threat to the health or safety of the public, he may immediately abate the nuisance without complying with the provisions of Title 9, Chapter 9.06. After abating the nuisance, the Health Officer shall comply with the provisions of Title 9, Chapter 9.06.

14.06.090

Section 14.04.290 of the Municipal Code of the City of El Paso de Robles, and all other Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

APPROVED AND ADOPTED this 4th day of June, 1973 by the following roll call vote:

AYES: Councilmen Barnhart, Hanson, Minshull and Schwartz

NOES: None

ABSENT: Councilwoman Stockdale

Barney Schwartz  
MAYOR

ATTEST:

Donald B. Cooper  
CITY CLERK