

ORDINANCE NO. 2017-971

AN ORDINANCE PROHIBITING THE USE OF GROUNDWATER AS A POTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD

WHEREAS, certain properties in the Village of Cobden, Illinois have been used over a period of time for commercial/industrial purposes; and

WHEREAS, because of said use, concentrations of certain chemical constituents in the groundwater beneath the Village of Cobden may exceed Class I groundwater quality standards for potable resource groundwater as set forth in 35 Illinois Administrative Code 620 or Tier 1 remediation objectives as set forth in 35 Illinois Administrative Code 742; and

WHEREAS, the Village of Cobden desires to limit potential threats to human health from groundwater contamination while facilitating the redevelopment and productive use of properties that are the source of said chemical constituents;

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF COBDEN, ILLINOIS:

Section One. Use of groundwater as a potable water supply is prohibited.

Except for such uses or methods in existence before the effective date of this ordinance, the use or attempt to use as a potable water supply groundwater from all depths within the hatched marked area, as shown on Figure 1 attached hereto, (hereinafter referred to as the "Groundwater Limitation Area"), by the installation or drilling of wells or by any other method is hereby prohibited. This limitation applies to the Village of Cobden or any other person's construction or attempt to construct a well.

Section Two. Penalties.

Any person violating the provision of this ordinance shall be subject to a fine of up to \$500.00 for each violation.

Section Three. Definitions

"Persons" in any individual, partnership, co-partnership firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, or any other legal entity, or their legal representatives, agents or assigns. "Potable water" is any water used for

human or domestic consumption, including, but not limited to, water used for drinking, bathing, swimming, washing dishes, or preparing foods.

Section Four. Repealer.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed insofar as they are in conflict with this ordinance.

Section Five. Severability.

If any provision of this ordinance or its application to any person or under any circumstances is adjudged invalid, such adjudication shall not affect the validity of the ordinance as a whole or of any portion not adjudged invalid.

Section Six. Effective date.

This ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

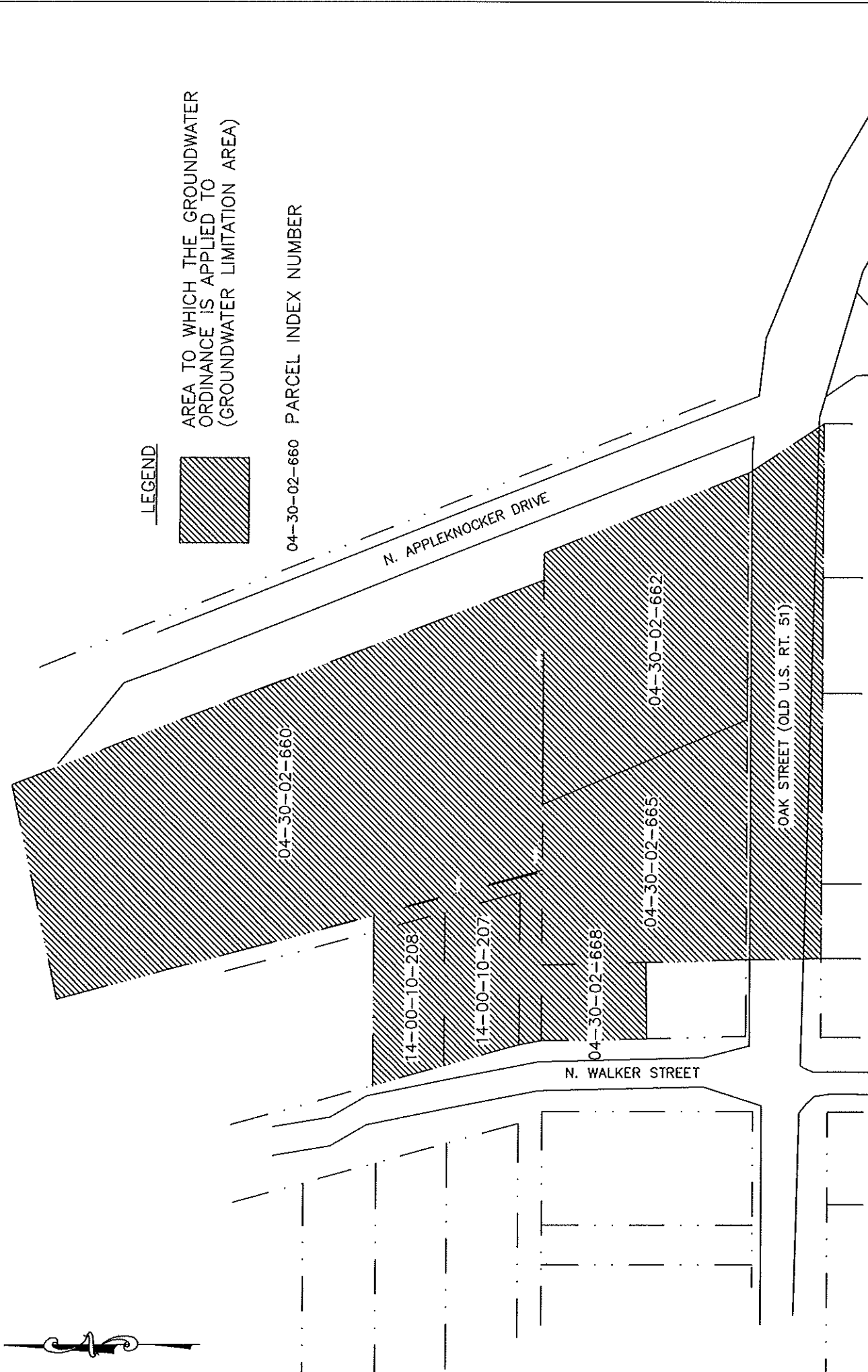
ADOPTED: 12-4-17  
(Date)

APPROVED: 12-4-17  
(Date)

Karen M. Degenburger  
(Clerk)

Paul J. [Signature]  
(President)

Officially published this 5<sup>th</sup> day of December, 2017.



LEGEND



AREA TO WHICH THE GROUNDWATER  
ORDINANCE IS APPLIED TO  
(GROUNDWATER LIMITATION AREA)

04-30-02-660 PARCEL INDEX NUMBER

**FIGURE 1**

DATE:	OCTOBER 2017
JOB NO.:	15-1031
FILE NAME:	GW ORD.DWG

REVISIONS

**GROUNDWATER ORDINANCE  
AREA MAP**

PLANS PREPARED FOR  
MARY JANE BENNETT & JEAN KOCH  
COBDEN, ILLINOIS

**CORRECTIVE ACTION**

**SCALE**

45' 0 90'

**PERRY ENVIRONMENTAL, INC.**

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