

Topic: Aquifer Protection
Resource Type: Regulations
State: California
Jurisdiction Type: Municipal
Municipality: County of Riverside
Year (*adopted, written, etc.*): 1981-1999
Community Type – applicable to: Urban; Suburban; Rural
Title: County of Riverside Construction, Reconstruction, Abandonment and Destruction of Wells
Document Last Updated in Database: March 21, 2016

Abstract

Riverside County established an ordinance regulating the Construction, Reconstruction, Abandonment and Destruction of Wells in order to “(a) protect underground water resources, and (b) provide safe water to persons within Riverside County.” Applications for permits must include a variety of information on the physical characteristics property, the well specifications, and additional property features, which include other wells, underground storage tanks, and waste disposal sites.

Resource

ORDINANCE 682.3

AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE CONSTRUCTION RECONSTRUCTION, ABANDONMENT, AND DESTRUCTION OF WELLS

The Board of Supervisors of the County of Riverside, Ordains that Ordinance No. 682 is amended in its entirety to read as follows:

Section 1. PURPOSE, AUTHORITY AND IMPLEMENTATION. The purpose of this ordinance is to provide minimum standards for construction, reconstruction, abandonment, and destruction of all wells in order to: (a) protect underground water resources, and (b) provide safe water to persons within Riverside County. Pursuant to the authority cited in Chapter 13801(c) of the California Water Code, the Riverside County Department of Environmental Health shall enforce the provisions of this ordinance within its jurisdiction.

Section 2. DEFINITIONS. Whenever in this ordinance the following terms are used, they shall have the meanings respectively ascribed to them in this section:

A. "Abandoned Wells" and "Abandonment", shall apply to a well whose original or functional purpose and use has been discontinued for a period of one (1) year and which has

not been declared for reuse with the Department by the legal owner, or a well in such a state of disrepair that it cannot be functional for its original purpose or any other function regulated under this ordinance. Exploration holes shall be considered abandoned twenty-four (24) hours after construction and testing work has been completed.

B. "Agriculture Well" shall mean any water well used to supply water for irrigation or other agricultural purposes, including so-called "Stock Wells".

C. "Annular Seal" or "Sanitary Seal" shall mean the approved material placed in the space between the well casing and the wall of the drilled hole (the annular space).

D. "Boring" shall mean a temporary hole for immediate exploration drilled or driven into the ground to determine underground conditions.

E. "Cathodic Protection Well" shall mean any artificial excavation in excess of fifty (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.

F. "Community Water Supply Well" shall mean any well which provides water for public water supply systems.

G. "Contamination" shall mean an impairment of the quality of the waters of the state by waste to a degree which creates a hazard to the public health through poisoning or through the spread of disease.

H. "Cross-Connection" shall mean any unprotected connection between any part of a water system used or intended to supply water for domestic purposes and any source or system containing water or other substances that are not or cannot be approved as safe, pure, wholesome, and potable for human consumption.

I. "Department" shall mean the Riverside County Department of Environmental Health.

J. "Director" shall mean the Director of Environmental Health or his duly authorized representative.

K. "Distribution System" shall include the facilities, conduits, or any other means used for the delivery of water from the source facilities to the customer's system.

L. "Geothermal Heat Exchange Well" shall mean any uncased excavation by any method for the purpose of using the heat exchange capacity of the earth for heating and cooling and in which the ambient ground temperature is 86 0Fahrenheit (30 0Celsius) or less and which uses a closed loop fluid system to prevent the discharge or escape of its fluid into the surrounding aquifers or geologic formations. Geothermal Heat Exchange Wells are also know as ground source heat pump wells. (California Water Code '13713). Such wells or boreholes are not intended to produce water or steam.

M. "Exploration Hole" shall mean an uncased excavation for the purpose of immediately determining the existing geological and/or hydrological conditions at the site either by direct observation or other means.

N. "Extraction Well" shall mean any well used to extract water for treatment, dewatering or other processes but not to include domestic or agricultural uses.

O. "Individual Domestic Well" shall mean any well used to supply water for domestic needs other than a public water supply system.

P. "Industrial Well" shall mean any well used primarily to supply water for industrial processes and may supply water intentionally or incidentally for domestic purposes.

Q. "Injection or Recharge Well" shall mean any well used to inject water of approved quality into groundwater basins (Special approval required).

R. "Lateral (horizontal) Well" shall mean a well drilled or constructed horizontally or at an angle with the horizon as contrasted with the common vertical well and does not include horizontal drains or "wells" constructed to remove subsurface water from hillside, cuts, or fills.

S. "Monitoring Well" shall mean an artificial excavation by any method for the purpose of observing, monitoring, or supplying the conditions of a water bearing Aquifer, such as fluctuations in groundwater levels, quality of groundwaters, or the concentration of contaminants in underground waters.

T. "Person" shall mean any individual, firm, corporation, association, profit or non-profit organization, trust, partnership, special district, or governmental agency to the extent authorized by law.

U. "Pollution" shall mean an alteration of water by waste to a degree which unreasonably affects such water for beneficial uses, or facilities which serve such beneficial uses "Pollution" may include "contamination".

V. "Public Water System" shall mean:

1. A system, regardless of type of ownership, for the provision of piped water to the public for domestic use, if such system has at least five (5) service connections or regularly serves an average of at least twenty-five (25) individuals daily at least sixty (60) days of the year. A public water system includes:

a. Any collection, treatment, storage, and distribution facilities which are used primarily in connection with such system and which are under control of the water supplier.

b. Any collection or pretreatment storage facilities which are used primarily in connection

with such system but are not under control of the water supplier.

2. A Labor Camp as defined by the California Code of Regulations, Title 25, Housing.

W. "Reconstruction" means certain work done to an existing well in order to restore its production, replace defective casing, seal off certain strata or surface water, or similar work, not to include the cleaning out of sediments, surging, or maintenance to the pump or appurtenances where the integrity of the annular seal or water bearing strata are not violated.

X. "Source Facilities" shall include wells, stream, diversion works, infiltration galleries, springs, reservoirs tanks, and all other facilities used in the production, treatment, disinfection, storage, or delivery of water to the distribution system.

Y. "Vapor Extraction Well" shall be a hole drilled and cased to extract vapor from underground.

Z. "Water Well" shall mean any artificial excavation constructed by any method for the purpose of extracting water from, or injecting water into the ground. This definition shall not include:

1. Oil and gas wells, or geothermal wells constructed under the jurisdiction of the California State Department of Conservation, except those wells converted to use as water wells; or

2. Wells used for the purpose of:

a. Dewatering excavation during construction; or

b. Stabilizing hillsides or earth embankments, unless located within 500 feet of a potential source of groundwater contamination.

Section 3. PERMIT REQUIREMENTS.

A. No person or entity, or agent, contractor, subcontractor, representative, or employee thereof, shall dig, drill, bore, drive, reconstruct or destroy (1) a well that is to be, or has been, used to produce or inject water, (2) a cathodic protection well, (3) a monitoring well or (4) geothermal heat exchange well, without first filing a written application to do so with the Department, and receiving and retaining a valid permit as provided herein. Said written application shall contain a statement which is substantially in the following form: AI declare under penalty of perjury under the laws of the State of California that the information furnished as part of this application is true and correct. I also understand that I am legally obligated to obey all requirements of state law and Riverside County ordinances in connection with the approval of this application.

AProperty Owner =s Signature Date A

B. No person or entity shall engage in any activity subject to the jurisdiction of this ordinance without first paying all applicable fees to the Department of Environmental Health for each activity in the amounts set forth in Riverside County Ordinance No. 671 and any subsequent amendments thereto. Such fees may be waived in cases where corrective or replacement work is being undertaken to replace property damaged or destroyed in a disaster recognized in a resolution adopted by the Board of Supervisors.

C. Any person who shall commence any work for which a permit is required by this Department without having obtained a permit therefore, shall, if subsequently granted a permit, pay double the permit fee for such work; provided, however, that this provision shall not apply to emergency work when it shall be established in writing to the satisfaction of the Director that such work was urgently necessary and that it was not practical to obtain a permit before commencement of the work. In all cases in which emergency work is necessary, a permit shall be applied for within three (3) working days after commencement of the work. The applicant for a permit for any such emergency work shall, in any case, demonstrate that all work performed is in compliance with the technical standards of Section 10. of this ordinance.

D. An application for a permit to construct a water well, monitoring well, cathodic protection well, or geothermal heat exchange well shall be submitted to the Department on a form and in a manner prescribed by the Department, and shall include the following information:

I. A Plot Plan showing the proposed well location with respect to the following items within a radius of five hundred feet (500') from the well:

a. Property lines, including ownership.

b. Sewage or waste disposal systems (including reserved waste disposal expansion areas), or works for carrying or containing sewage or waste.

c. All intermittent or perennial, natural, or artificial bodies of water or watercourses.

d. The approximate drainage pattern of the property.

e. Other wells, including abandoned wells.

f. Access road(s) to the well site.

g. Structures.

2. Location of the property with a vicinity map including the legal description of the property (Assessor Parcel Map/Tract Map Number, Township, Range and Section).

3. The C-57 license number and signature of the person responsible for constructing the well.

4. For a monitoring well the name and telephone number of the consultant.

5. The proposed well depth, including casing size and zones of perforations and strata to be sealed off if such data can be reasonably projected.

6. The proposed use of the well.

7. Location of underground storage tank(s) within five hundred feet (500') of the proposed well.

8. Location and classification by visual inspection of any solid, liquid, or hazardous waste disposal sites to include municipal and individual package sewage treatment plants within two thousand feet (2,000') of the proposed well.

9. Where proposed work is reconstruction or destruction of a water well, monitoring well, cathodic protection well or geothermal heat exchange well, provide the following information, if available:

a. Method of reconstruction or destruction of well.

b. Total depth.

c. Depth and type of casing used.

d. Depth of perforation.

e. Well log.

f. Any other pertinent information.

10. Other information as may be deemed necessary for the Department to determine if the underground waters will be adequately protected.

E. As a condition of a construction or reconstruction permit, any abandoned wells on the property shall be destroyed in accordance with standards provided in this ordinance.

F. All complete and accurate permit applications shall be approved or denied within six (6) working days after the date of filing of the application or shall be deemed approved. The term Aworking day @shall be defined to mean a day in which the County of Riverside is open to members of the public for the regular conduct of business. In the event that the application is denied, the applicant shall be informed of any deficiencies contained in the application at the time of being notified of such denial. The applicant, after initial denial, may resubmit a corrected application that addresses the deficiencies that were identified as part of the application denial. The applicant shall resubmit a corrected application within thirty (30) days after being notified of the application denial or thereafter a new permit application will need to be submitted.

Section 4. CONDITIONS OF APPROVALS. Permits shall be issued after compliance with the standards provided and incorporated by reference in this ordinance. Plans shall be submitted to the Department demonstrating compliance with such standards. Permits may include conditions and requirements found by the Department to be reasonably necessary to accomplish the purpose of this ordinance. Completion bonds, contractor's bonds, cash deposits, or other adequate security may be required to insure that all projects are performed completely and properly to protect the public's health and safety and the integrity of underground water resources.

Section 5. CONDITIONS OF DENIAL. Where the Department determines that the standards of this ordinance have not been met, it shall deny the application.

Section 6. EXPIRATION OR EXTENSION OF PERMIT.

A. Each permit issued pursuant to this ordinance shall expire and become null and void if the work authorized thereby has not been completed within six (6) months following the issuance of the permit.

B. The permit fee shall be non-refundable.

C. Any permit issued pursuant to this ordinance may be extended at the option of the Department. Each individual extension granted by the Department shall be for not longer than one hundred twenty (120) days. In no event shall the Department grant an extension which would make the total term of the permit exceed one (1) year. Application for extension shall be made on a form provided by the Department.

D. Upon expiration of any permit issued pursuant hereto, no further work may be done in connection with construction, repair, reconstruction, or abandonment of a well unless and until a new permit for such purpose is secured in accordance with the provisions of this ordinance. If the permit has expired before the final inspection is conducted, the permittee must pay a renewal fee for the final inspection to take place.

Section 7. PERMIT REVOCATION OR SUSPENSION.

A. The Director may revoke or suspend a permit issued pursuant to this ordinance upon a finding that:

1. A determination of violation exists.

2. Said determination has been sent to the permittee by first class mail in the form of a written notice specifying the violation.

3. The permittee has failed or neglected to correct the violation within twenty (20) days from the date the written notice is mailed.

B. A permit violation exists where any of the following conditions are present:

1. The permit was issued in error.
2. The permit was issued on the basis of incorrect information supplied by the permittee.
3. The permittee violated any of the provisions of this ordinance or the conditions and requirements attached to the permit.

C. A permit may be revoked or suspended by the Director as provided for herein after the permittee is afforded a pre-deprivation opportunity for a hearing pursuant to Section 8 of this ordinance. Notwithstanding the foregoing, a permit may be summarily revoked or suspended in the event that the Director determines that exigent circumstances exist which demonstrate an immediate threat to the public health or safety. Upon a determination that exigent circumstances exist, a permittee shall be sent a written notice of violation pursuant to Section 7. A. 2. of this ordinance and alternatively afforded a post-deprivation opportunity for a hearing pursuant to Section 8 of this ordinance.

Section 8. HEARINGS.

A. Pre-deprivation Hearing. Any person whose application for a permit has been denied or whose permit faces revocation or suspension after having first been sent a written notice of violation pursuant to Section 7. A. 2. of this ordinance shall be entitled to request a pre-deprivation hearing. The person shall file with the Department a written petition requesting the hearing and setting forth a brief statement of the grounds for the request within ten (10) days from the date the permit application was denied or from the date the written notice of violation was mailed pursuant to Section 7. A. 2. of this ordinance. The failure to timely submit a written request for a hearing shall be deemed a waiver of the right to such hearing.

B. Post-Deprivation Hearing. Any person whose permit has been summarily revoked or suspended shall be entitled to request a post-deprivation hearing. The person shall file with the Department a written petition requesting the hearing and setting forth a brief statement of the grounds for the request within ten (10) days from the date the written notice of violation was mailed pursuant to Section 7. A. 2. of this ordinance. The failure to timely submit a written request shall be deemed a waiver of the right to such hearing.

C. Hearing Procedure. The Hearing Officer shall be the Director or the Director =s designee. The hearing shall be set for a date within ten (10) days from the date the written request is received by the Department unless extended at the request of the petitioner. At the time and place set for the hearing, the Hearing Officer shall give the petitioner and other interested persons, adequate opportunity to present any facts pertinent to the matter at hand. The Hearing Officer may, when deemed necessary, continue any hearing by setting a new time and place and by giving notice to the petitioner of such action. At the close of the hearing, or within twenty (20) normal business days thereafter, the Hearing Officer shall order such disposition of the permit application or permit as determined to be proper, and shall, by postage prepaid, certified mail, notify the petitioner of the Hearing Officer =s final determination.

Section 9. LICENSING AND REGISTRATION OF WATER WELL DRILLER =S AND CONTRACTORS. No persons shall engage in any activity listed in Section 3. of this ordinance unless he is in compliance with the Provisions herein and possesses a valid C-57 license in accordance with the California Contractor's State License Law (Chapter 9. Division 3 of the Business and Professions Code), or possesses a license appropriate to the activity to be engaged in. Such person shall register annually with the Department thereto prior to commencing any activity regulated by this ordinance. The Driller =s Registration may be suspended if there are any Well Driller =s Reports outstanding and due or for other just cause. All well drilling rigs are to be identified as specified in the Contractor =s License Law Section 7029. 5 1990.

Section 10. STANDARDS. Standards for the construction, reconstruction, abandonment, or destruction of wells shall be the standards recommended in the Bulletins of the California Department of Water Resources as follows: Bulletin NO 74-81 Chapter II Water Wells, and Bulletin NO 74-90 (Supplement to Bulletin 74-81) and as these Bulletins may be amended by the State of California from time to time. The content of said Bulletins is hereby incorporated by reference with the following additions or modifications:

A. Exploration holes used for determining immediate geological or hydrological information relating to onsite sewage disposal systems, liquefaction studies, or geotechnical investigations for construction purposes, such as foundation studies, are exempt from the monitoring well destruction standards of Part III Bulletin 74-90, provided that a zone of low permeability overlying sediments with water bearing capabilities has not been penetrated. For the above-listed cases, the excavation or boring shall be backfilled with native soils immediately after the investigatory work has been completed. Where a zone of low permeability has been penetrated, the hole shall be abandoned as specified in Bulletin 74-90, Part III. When the excavation is to be left open and unattended (such as at the end of a work shift), the person in charge of the construction shall take necessary precautions to insure that the excavation has not created a public health or safety hazard. All excavations under this section shall be properly destroyed with approved sealant material within 24 hours.

Section 11. LATERAL (HORIZONTAL) WELL STANDARDS. The location and design of lateral wells shall be in accordance with the standards recommended in the State of California, Department of Health Services' Publication: Requirements for The Use of Lateral Wells in Domestic Water Systems as such publication may be amended by the State of California from time to time. The content of said publication is hereby incorporated herein by reference.

Section 12. REQUIRED INSPECTION OF WELL SITES. A site inspection by the Department is required prior to issuance of a permit for a well that is to be part of a public water system or other wells that possess a high potential for contamination as determined by the Director. In the event that the well is to serve a system under the direct jurisdiction of the State Department of Health Services, then, that agency may perform the site inspection and notify the Department of Environmental Health of its approval or disapproval.

Section 13. REQUIRED INSPECTIONS OF WELLS.

A. A well inspection shall be requested of the Department at least two (2) working days in advance of the following activities:

1. For individual domestic wells, agricultural wells, cathodic protection wells, extraction wells, injection wells, and monitoring wells:

- a. The filling of the annular space or conductor casing.
- b. Immediately after the installation of all surface equipment and (for individual domestic wells) after the well has been disinfected and purged.

2. For community wells:

a. All community water wells shall be inspected at the frequencies stated in subsection 1. of this section for individual domestic water wells. In addition, a site inspection prior to issuance of a permit is required in accordance with Section 12. of this ordinance.

3. For all wells:

a. Any other operation or condition for which a special inspection is stipulated on the well permit.

4. For well and boring destruction (all wells):

- a. During the actual sealing of the well,
- b. Immediately after all well destruction work has been completed.

B. Upon failure to notify the Department of the filling of the annular space, approved geophysical tests including Sonic Log and Gamma Ray Log shall be conducted at the owner's expense, to substantiate that an annular seal has been properly installed.

C. If the enforcement agency fails to appear at the well site within 30 minutes of the scheduled time designated for sealing, the well may be sealed without the presence of the enforcement agency. However, the driller shall seal the well in accordance with the standards of this ordinance and the permit.

Section 14. DISCHARGE OF DRILLING FLUIDS. Drilling fluids and other drilling materials used in connection with cathodic protection, monitoring, or water well construction shall not be allowed to discharge onto streets or into waterways, and shall not be allowed to discharge to the adjacent property unless a written agreement with the owner(s) of the adjacent property is obtained; provided, however, that such fluids and materials are discharged off- site with permission and are removed within thirty (30) days after

completion of the well drilling and there is no violation of waste discharge regulations. This section shall not operate to prohibit the surface discharge of contaminated groundwater provided such discharge is carried out in compliance with a lawful order of a regional water quality control board.

Section 15. GENERAL LOCATION OF WATER WELLS. It shall be unlawful for any person or entity to drill, dig, excavate, or bore any water well at any location where sources of pollution or contamination are known to exist, have existed, or otherwise substantial risk exists that water from that location may become contaminated or polluted even though the well may be properly constructed and maintained. Exceptions to the above include the following:

A. Extraction wells used for the purpose of extracting and treating water from a contaminated aquifer.

B. Wells from which water is to be treated to meet all State Department of Health standards and requirements.

C. Wells from which water will be blended with other water sources resulting in water that meets all State Department of Health standards and requirements.

Every well shall be located an adequate distance from all potential sources of contamination and pollution as follows:

Sewer 50-foot minimum

Watertight septic tank 100-foot minimum

Subsurface sewage leach line or leach field 100-foot minimum

Cesspool or seepage pit 150-foot minimum

Animal or fowl enclosures 100-foot minimum

Any surface sewage disposal system discharging 2,000 gal/day or more 200-foot minimum

Minimum distances from other sources of pollution or contamination shall be as determined by the Department upon investigation and analysis of the probable risks involved. Where particularly adverse or special hazards are involved as determined by the Department of Environmental Health, the foregoing distances may be increased or specially approved means of protection, particularly in the construction of the well, may be required as determined by the Department.

Section 16. WELL LOGS. Any person who has drilled, dug, excavated, or bored a well subject to this ordinance shall within sixty (60) days after completion of the drilling, digging, excavation, or boring of such well, furnish the Department with a complete log of such well on a standard form provided by the State Department of Water Resources. This log shall

include depths of formations, character, size distribution, i. e. , clay, sand, gravel, rocks and boulders, and color for all lithological units penetrated, the type of casing, pump test results when applicable, and any other data required by the Department. The Department may require inspection of the well log during any phase of the well's construction and where necessary to achieve the purposes of this ordinance, may require modification of the work as originally planned.

Well logs furnished pursuant to this ordinance shall not be made available for inspection by the public, but shall be made available to governmental agencies for use in making studies; provided, that any report be made available to any person who obtains written authorization from the owner of the well.

Section 17. WATER WELL SURFACE CONSTRUCTION FEATURES.

A. Check Valve. A check valve shall be provided on the pump discharge line adjacent to the pump for all water wells.

B. Sample Spigot. An unthreaded sample spigot shall be provided on any community or individual domestic water well. The sample spigot is to be installed on the pump discharge line adjacent to the pump and on the distribution side of the check valve.

C. Water Well Disinfection Pipe. All community water supply wells and individual domestic wells shall be provided with a pipe or other effective means through which chlorine or other approved disinfecting agents may be introduced directly into the well, The pipe shall be extended at least four inches (4") above the finished grade and shall have a threaded or equivalently secured cap on it.

D. Water Well Flow Meter. A flow meter or other suitable measuring device shall be located at each source facility and shall accurately register the quantity of water delivered to the distribution system from all community water supply wells serving a public water supply system.

E. Air-Relief Vent. An air-relief vent, when required, shall terminate downward, be screened, and otherwise be protected from the entrance of contaminants.

F. Backflow Prevention Assembly. Wells equipped with chemical feeder devices for fertilizers, pesticides or other nonpotable water treatment, including connections to reclaimed water systems, shall be furnished with an approved backflow prevention assembly or a sufficient air gap to insure that a cross-connection with the well does not exist.

Section 18. DISINFECTION OF WATER WELLS. Every new, repaired, or reconstructed community water supply well or individual domestic well, after completion of construction, repair or reconstruction, and before being placed in service, shall be thoroughly cleaned of all foreign substances. The well gravel used in packed wells, pipes, pump, pump column, and all well water contact equipment surfaces, shall be disinfected by a Department-approved method. The disinfectant shall remain in the well and upon all relevant surfaces for at least

twenty-four (24) hours. Disinfection procedures shall be repeated until coliforms organisms are no longer present.

Section 19. WATER QUALITY STANDARDS.

A. Water from all new, repaired, and reconstructed community water supply wells, shall be tested for and meet the standards for constituents required in the California Code of Regulations, Title 22, *Domestic Water Quality and Monitoring*.

B. In addition to the microbiological standards required in Section 18. of this ordinance, all individual domestic water wells shall be tested for and meet the nitrate, fluoride, and total dissolved solids (or total filterable residue) standards in accordance with the California Code of Regulations, Title 22, *Domestic Water Quality and Monitoring*.

C. At the discretion of the Director, for the purpose of protecting the health and safety of the public, any new, repaired, or reconstructed individual domestic water well, or community well, shall be tested for and must meet, any or all additionally specified Water Quality Standards in accordance with the California Code of Regulations, Title 22, *Domestic Water Quality and Monitoring*. Exceptions would be community well water to be either treated or blended with other water sources to meet State Department of Health Services standards and requirements. Said treatment or blending must be approved by the State Department of Health Services.

Section 20 MINIMUM WATER WELL PRODUCTION.

A. All individual domestic water wells providing drinking water to a residence must be tested for the purpose of achieving a minimum level of water production capability.

B. Water production testing shall be performed under the direct supervision of a California licensed C-57 well driller, C-61 pump contractor, D-21 pump contractor or a certified hydrogeologist. Said testing shall include the following requirements:

1. Standing water level measurements in the individual domestic water well shall be made immediately prior to the start of pumping. The standing water level shall be measured to an accuracy of at least 0.1 foot.

2. Timing of the test shall commence from the start of pumping or when an air lift is started. Pumping shall continue on an uninterrupted basis for a minimum two hour period until three or more wetted bore volumes of water have been discharged from the well. The term Awetted bore volume @shall be defined to mean the volume of the well hole below the standing water level measurement. In those cases that involve screened and filter packed wells, the volume of water contained in the filter pack shall also be included in the bore volume calculation.

3. Water production shall be kept at a constant rate of no less than 1 gallon per minute per residence or unit. Higher production rates may be required based upon the proposed water

usage and as determined by the Department. This level of production applies to new water wells used for domestic purposes and existing water sources on property being improved.

4. Water discharged from the water well during the production test shall be restricted so that it does not re-enter the water well that is the subject of the test.

5. The standing water level in the individual domestic water well shall be remeasured immediately at the conclusion of pumping. The standing water level shall be measured to an accuracy of at least 0.1 foot. The well shall not pump dry during the test.

Section 21. PRIVATE WELL EVALUATIONS. A well evaluation is required for all individual domestic wells that have been in existence for more than one year and are to be utilized as a potable water supply for a proposed development or improvement of property. This evaluation is required when application is made to this Department for waste disposal. A well evaluation may be requested by the applicant or otherwise required by this Department. The Department shall perform a well-site inspection and conduct the water sampling portion of the evaluation. The well shall be sampled for total coliform, nitrate, fluoride, total filterable residue (or total dissolved solids) and any other constituent determined to be necessary for the Department to evaluate the basic water quality. The well water shall meet the Water Quality Standards in accordance with the California Code of Regulations, Title 22, Domestic Water Quality and Monitoring. A water source can not be approved by this Department if it does not meet the bacteriological standards. Failure to meet the fluoride or nitrate standard will require recordation of this fact on the grant deed of property. Any additional testing, including any pump test to determine the yield quantity of the well, shall be performed under the direct supervision of a California licensed C-57 well driller, C-61 pump contractor, D-21 pump contractor or a certified hydrogeologist at the expense of others.

Section 22. WELL ABANDONMENT. If after thirty (30) days of abandonment, the owner has not declared to the Department a proposed reuse of the well per Section 24 of this ordinance, and the well has been found by the Department to be a hazard, whereby its continued existence is likely to cause damage to ground water or a threat to public health and safety, the Department shall direct the owner to destroy the well, in accordance with Section 10. of this ordinance. Upon removal of the pump, the casing shall be provided with a threaded or equivalently secured watertight cap. The well shall be maintained so that it will not be a hazard to public health and safety until such time as it is properly destroyed.

Section 23. PUBLIC NUISANCE ABATEMENT. Where an abandoned well has been identified and the owner fails to comply with the Department's order to destroy the well, such well may be declared a public nuisance pursuant to Government Code Section 50231, and thereafter abated pursuant to Title 5, Division 1, Article 9 of the California Government Code. Where abatement is undertaken at the expense of the County, such cost shall constitute a special assessment against the parcel and shall be added to the next regular tax bill as enumerated under Government Code Section 50244 et seq.

Section 24. DECLARATION OF PROPOSED REUSE. Where a well is unused or its disuse is anticipated, the owner may apply to the Department, in writing, stating an intention to use

the well again for its original or other approved purpose, The Department shall review such a declaration and may grant an exemption from certain of the provisions of Section 21 22 of this ordinance, provided no undue hazard to public health or safety is created by the continued existence of the well. Thereafter, an amended declaration shall be filed annually with the Department. The original or subsequent exemption may be terminated for cause by the Department at any time.

Section 25. ADMINISTRATIVE VARIANCE. Subject to approval by the State Department of Health Services, the Director may grant an administrative variance of the provisions of this ordinance where documentary evidence establishes that a modification of the standards as provided herein will not endanger the general public health and safety, and strict compliance would be unreasonable in view of all the circumstances.

Section 26. VIOLATIONS AND PENALTIES.

A. The Director, or his designee, may at any and all reasonable times enter any and all places, property, enclosures, and structures for the purpose of conducting examinations and investigations to determine whether all provisions of this ordinance are being complied with.

B. It shall be unlawful for any person, firm, corporation, or association of persons to violate any provision of this ordinance or to violate the provisions of any permit granted pursuant to this ordinance. Any person, firm, corporation, or association of persons violating any provision of this ordinance or the provisions of any permit granted pursuant to this ordinance, shall be deemed guilty of an infraction or misdemeanor as herein specified. Such person, firm, corporation, or association of persons shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this ordinance or the provisions of any permit granted pursuant to this ordinance is committed, continued, or permitted. Any person, firm, corporation, or association of persons so convicted shall be: (1) guilty of an infraction offense and punished by a fine not exceeding one hundred dollars (\$100. 00) for a first violation, (2) guilty of an infraction offense and punished by a fine not exceeding two hundred dollars (\$200. 00) for a second violation at the same site. The third and any additional violations on the same site shall constitute a misdemeanor offense and shall be punishable by a fine not exceeding one thousand dollars (\$1,000. 00), or six (6) months in jail, or both. Notwithstanding the above, a first offense may be charged and prosecuted as a misdemeanor. Payment of any penalty herein shall not relieve a person, firm, corporation, or association of persons from the responsibility for correcting the violation.

C. Anything done, maintained, or suffered in violation of any of the provisions of this ordinance is a public nuisance dangerous to the health and safety of the public and may be enjoined or summarily abated in the manner provided by law. Every public officer or body lawfully empowered to do so shall abate the nuisance immediately.

Section 27. SEVERABILITY. If any provision, clause, sentence, or paragraph of this ordinance, or the application thereof, to any person, establishment, or circumstances shall

be held invalid, such invalidity shall not affect the other provisions of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of the ordinance are hereby declared to be severable.

Section 28. CONFLICT WITH EXISTING LAWS. The provisions of any existing ordinance or State or Federal law affording greater protection to the public health or safety shall prevail within this jurisdiction over the provisions of this ordinance and the standards adopted or incorporated by reference thereunder.

Section 29. REPEAL. Riverside County Ordinance No. 340, and all amendments thereto, shall be repealed and of no further force or effect upon the effective date of this ordinance.

Section 30. EFFECTIVE DATE. This ordinance shall take effect sixty (60) days after its adoption.

AMENDED 10-31-89 (Eff. : 12-30-89)

682. 1 (Eff. : 08-08-91)

682. 2 (Eff. : 12-07-93)

682. 3 (Eff. : 06-24-99)