

ORDINANCE #461

AN ORDINANCE OF THE VILLAGE OF ANSLEY, NEBRASKA, REGULATING THE DRILLING AND OPERATION OF ANY WATER WELL WITHIN THE VILLAGE LIMITS; PROVIDING RESTRICTIONS ON THE OPERATION OF CERTAIN FACILITIES WITHIN THE VICINITY OF ANY MUNICIPAL WATER WELL; PROVIDING A PENALTY FOR VIOLATION OF THIS ORDINANCE; PROVIDING A REPEAL OF ALL CONFLICTING ORDINANCES OR PARTS OF ORDINANCES; AND PROVIDING A TIME WHEN THIS ORDINANCE GOES INTO FORCE AND EFFECT.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF ANSLEY, NEBRASKA, That:

Section 1. The Village of Ansley, Nebraska is hereby adopting Ordinance No. 461.

Section 2. DRILLING AND OPERATION OF WELLS AND OTHER UNDERGROUND FACILITIES WITHOUT PERMIT UNLAWFUL. From and after the effective date of this ordinance, it shall be unlawful for any person, corporation or other legal entity to drill and/or operate any of the following facilities within the corporate limits of the Village of Ansley without first having obtained the proper permit from the governing body of the Village of Ansley; potable water well; any other well; sewage lagoon; absorption or disposal field for water; cesspool; dumping grounds; feedlots; livestock pasture or corral; chemical product storage facility; petroleum product storage facility; pit toilet; sanitary landfill; septic tank; sewage treatment plant; sewage wet well.

Section 3. PROCEDURE TO OBTAIN PERMIT. In order to obtain a permit to drill and/or operate any of the facilities listed in Section 2, the owner of the property on which the proposed facility is to be located must make application on the proper form provided by the governing body of the Village of Ansley. Such application must be presented to the Village Board of Trustees at any regular or special meeting. After reviewing the application of any person desiring to drill or operate any of the above-described facilities, the Village Board of Trustees shall approve or deny said permit.

Section 4. DRILLING OR INSTALLATION OF OTHER FACILITIES WITHIN DESIGNATED DISTANCE FROM MUNICIPAL WATER SOURCES PROHIBITED. Under no circumstances shall the Village Board of Trustees approve any permit to drill or operate any of the below-described facilities within the indicated number of feet from any Village of Ansley municipal water well:

<u>CATEGORY</u>	<u>DISTANCE</u>
Non-potable Water Well	1,000 feet
Sewage Lagoon	1,000 feet
Absorption or Disposal Field for Waste	500 feet
Cesspool	prohibited
Dump	prohibited
Feedlot or Feedlot Runoff	1000 feet
Corral	500 feet
Pit Toilet	prohibited
Sanitary Landfill	prohibited in Wellhead Protection Area
Chemical or Petroleum Product Storage	500 feet
Septic Tank	500 feet
Sewage Treatment Plant	500 feet
Sewage Wet Well	500 feet
Sanitary Sewer Connection	100 feet

Sanitary Sewer Manhole	100 feet
Sanitary Sewer Line	100 feet
Sanitary Sewer Line(permanently water tight)	10 feet

Section 5. PENALTIES AND ABATEMENT PROCEDURE. In the event any of the above-described facilities are installed or operated without first having obtained a permit from the Village of Ansley and/or within the designated number of feet from any municipal water supply, then such facilities shall be deemed a nuisance and the governing body shall abate such facility as a public nuisance. In addition thereto, any person violating any of the terms of this ordinance is hereby determined to be "guilty" of a class three (3) misdemeanor as the same is defined by Nebraska Statute. The penalty for such violation shall be that as defined by Nebraska law for the violation of a Class three (3) misdemeanor.

Section 6. This ordinance shall go into full force and effect from and after its passage, approval and publication or posting as required by law.

Passed and approved this 7th day of August, 2006.



Joseph Vas, Jr., Chairperson

ATTEST:



Lorette C. Doane, Clerk

(Seal)