

# **2011 Update of Lincoln Municipal Code 8.44 Water Wells Summary of Changes**

Revision of 06/01/11

## **SHORT DESCRIPTION**

Lincoln Municipal Code (LMC) 8.44 Water Wells was first adopted in 1937. The last significant update to the ordinance was over 20 years ago. Since that time, state and federal regulations and standards have changed. Our local ordinance LMC 8.44 needs to be updated to reflect the changes and to be consistent with current federal and state regulations and standards. Thus, the Lincoln-Lancaster County Health Department (LLCHD) worked with the City Attorney's Office to update LMC 8.44 Water Wells.

Most of the proposed changes simply reflect the current language and terminology used in the state laws, regulations, and in the industry. Almost every section required updating. In addition, several sections which used historic language or reflected historic practice were updated to reflect current legal terminology and practice. As a result several sections were completely revised or eliminated, and a few were added, including:

- 010 Definitions – several eliminated/replaced, many new, many updated;
- 020 Purposes – completely revised;
- 040 Temporary Permit for Domestic Use of New Water Well; When Required Change – eliminated;
- 050 Construction or Repair of Water Well; Permit Required – significantly updated;
- 080 Board of Health; Variances; Appeal; Procedure – updated;
- 120 Contaminated Well; Notice and Order to Discontinue Use – completely revised; and
- 130 Enforcement; Penalty – new section added to clarify penalties for violations.

## **ANALYSIS OF IMPACT**

Updating this ordinance will bring it into the 21<sup>st</sup> Century and reflect current State and Federal regulations and industry practice.