

SOUTH MIDDLETON TOWNSHIP  
CUMBERLAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 98-22

AN ORDINANCE PROVIDING FOR THE REGISTRATION, REGULATION, AND CONTROL OF ALL WELLS WHICH MAY BE CONSTRUCTED FOR OBTAINING WATER FOR DOMESTIC PURPOSES IN SOUTH MIDDLETON TOWNSHIP, CUMBERLAND COUNTY, PENNSYLVANIA.

IT IS HEREBY ENACTED AND ORDAINED by the Board of Supervisors of South Middleton Township Cumberland County, Pennsylvania, as follows:

SECTION 1 TITLE

This ordinance shall be known as the South Middleton Township Well Ordinance.

SECTION 2 PURPOSE

The intention of this ordinance is to insure and protect the quality and suitability of domestic water supply, and to secure and maintain the minimum required isolation distances between water supplies and sewage disposal systems or other sources of contamination.

SECTION 3. APPLICATION

This ordinance shall apply to all wells which have not been completed, or which are not in operation or operable at the time of passage of this ordinance. This ordinance shall further apply to the reconstruction, major repair, and other changes to existing wells, when, in the opinion of the Codes Enforcement Officer, such reconstruction, major repair, and other changes may affect the quality and suitability of the water supply of the property upon which the well is constructed or surrounding properties.

SECTION 4 DEFINITIONS

All words and phrases not otherwise defined herein shall have the meaning provided in Webster's Unabridged Dictionary.

SECTION 5 PERMITS AND INSPECTION

- a. All permits shall be issued on a form provided by the Township, which shall be executed by the Codes Enforcement Officer.
- b. No well permit shall be issued for a particular property until a sewage permit has been issued for said property.

- c. The Township, through its Codes Enforcement Officer shall act upon each such application for permit within thirty (30) days after said application has been filed, and in the event of failure on the part of the said officer to render and communicate a decision to the applicant within said time period, the applicant shall have the right to request a hearing before the Board of Supervisors.
  
- d. Upon receipt of any application for a well permit, the Township, through it duly authorized Codes Enforcement Officer shall within thirty (30) days perform an inspection of the premises on which the well is to be constructed. The inspection shall be conducted in accordance with the provisions of this Ordinance. Upon completion of the inspection, the Codes Enforcement Officer shall either:
  - (1) Issue a permit to the applicant indicating the approved location for the well and the special instructions for construction, if any; or,
  - (2) Refuse to issue the said permit, and, in such event, shall provide the applicant with written reasons for such refusal.
  
- e. Upon the completion of construction, or at such other time as the Codes Enforcement Officer may deem appropriate, the Township, through its Codes Enforcement Officer, shall perform a final inspection of the well to determine whether there has been compliance with the permit issued. Upon completion of the said inspection, the Codes Enforcement Officer shall:
  - (1) Issue an approval of well operation upon the original permit, or
  - (2) Deny such approval due to non-compliance with the permit issued, in which latter event written reasons for such denial shall be noted on the original permit.

SECTION 6 FEES

All applications for a well permit shall be accompanied by a fee payable to South Middleton Township in accordance with a schedule of fees established by resolution of the Board of Supervisors of South Middleton Township.

SECTION 7 EFFECTIVE DATE OF PERMITS

All permits shall be in effect as of the date of issuance, and shall remain in effect for a period of two (2) years thereafter. In the event that construction under the permit has not been completed at the expiration of two (2) years from the date of

issuance, the permit shall expire and the validity of the permit shall cease and terminate.

## SECTION 8

## WELL LOCATION AND SETBACKS

- a. All wells dug after the date of this ordinance shall be located at least one hundred (100) feet from any portion of an area tested and approved for an on-lot sewage disposal system; or, an existing septic system, drain field or absorption area. Wells shall be at least fifty (50) feet from any existing septic tank, distribution box or pump tank. The well shall be located so as to enable adjacent lots to place a septic system drain field or absorption area so that the same would be at least one hundred (100) feet from such well with the septic tank, distribution box, and/or pump tank on such lot being a least fifty (50) feet from such well.
- b. All wells shall, if reasonably possible, be located at least fifty (50) feet from an agricultural field. If the fifty (50) foot isolation distance cannot reasonably be achieved the well shall be kept as far as reasonably possible from the agricultural field.
- c. The applicant shall present an accurate scale plan showing the location of all existing or proposed wells, setback lines for wells, and existing or proposed sewage disposal drain field and septic tanks on the lands of the applicant, and on any immediately adjoining lands, that may be affected by said regulations. The plan shall be the same scale plan as submitted for the sewage permit for the subject property, a sewage permit has been issued for said property.
- d. Well permits may be denied if drilling a well at a proposed location is not possible due to the setback requirements.
- e. All other setbacks shall be as follows with minimum isolation distances from the proposed well to the features listed in TABLE 1.

TABLE 1

<b>Feature</b>	<b>Minimum Distance</b>
Lakes, ponds, streams or other surface waters	25 feet ( 7.6 m)
Storm drains, storm water detention ponds and conveyance channels	25 feet ( 7.6 m)
Preparation area or storage area of hazardous spray materials, fertilizers or chemicals, salt piles	300 feet (91.5 m)
Sewer lines and drains carrying domestic sewage or industrial waste (except when the sewer line is encased in concrete or is ductile iron pipe with neoprene gasket joints)	50 feet (15.2 m)
Sewage seepage pits, cesspools	100 feet (30.4 m)
Farm Silos, Barnyards	100 feet (30.4 m)
Rainwater pits	25 feet ( 7.6 m)
Spray irrigation site; sewage sludge and septic disposal sites	300 feet (41.2 m)
Property lines or right-of-way	10 feet ( 3.04 m)
Dedicated road right-of-way	15 feet ( 4.56 m)
Buildings foundations (except for buildings enclosing just water wells and/or water well pumps)	30 feet ( 9.12 m)
Any other potential source of pollution	As approved

## SECTION 9 CONSTRUCTION

- a. A private water supply well must be drilled by a well driller licensed by the Commonwealth of Pennsylvania. All well drillers shall upon completion of the well, provide the Township with a copy of the information required to be submitted to the PA DEP.
- b. All wells shall be purged prior to sampling.
- c. Analysis shall be made of the bacterial and chemical quality as specified below. The sample shall be taken from the pumping or staging equipment. The analysis shall be performed by laboratories approved by the PA DEP. Water from an individual water supply well shall be certified as potable by the approved laboratory. A copy of the analysis shall be provided to the Township. Testing shall be conducted for the presence of the following contaminants:
  - (1) Total Coliforms - total plate counts total coliform/100 milliliters
  - (2) pH
  - (3) Nitrates

- (4) Sulfates
  - (5) Iron
  - (6) Manganese
  - (7) Lead
  - (8) Chlorides
  - (9) Where the Township believes there may be contamination from other pollutants, the following tests may be required:
    - (a) TCE, PCE, and 1-1-1 trichloroethane
    - (b) Benzene, toluene, xylene
    - (c) Detergents (MBAS)
- d. If the samples do not meet PADEP and USEPA standards for safe drinking water, the water supply must be treated so that the water meets the standards.

## SECTION 10 CONSTRUCTION STANDARDS

All construction of new wells and repair wells shall be subject to the following construction standards.

- a. Casing - The well shall have a water-tight and durable wrought iron, steel, plastic, or other type of approved casing with a nominal thickness of 3/16 (0.1875) inches and six and five-eighths (6-5/8) inches outside diameter. The sections shall be joined together by threaded couplings, welded joints or other water-tight approved joint or coupling.

The casing shall be carried to a minimum depth of twenty (20) feet from the finished grade and in all cases shall be extended ten (10) feet into bedrock or other competent strata. Driven wells shall be provided with a drive shoe or other effective casing seal.

An annular space shall be provided between the well casing and the earth formation of a radius at least one and one-half (1-1/2) inches greater than the casing radius, excluding couplings. The annular space shall be completely filled with impervious cement grout or equivalent sealing material from bottom of the casing to within five (5) feet of the ground surface. External grouting shall be accomplished utilizing a tremie pipe

and grout pump to force out any standing water on the outside of the well casing.

The casing shall be sealed effectively against entrance of water from water bearing formations, which are subject to pollution, through which the casing may pass. If casings of small diameter are used in the lower portions of the well, effective water-tight seals shall be provided between the casings where they telescope. In such instances, a section of casing shall telescope for a minimum distance of four (4) feet.

The top of the well casing shall extend a minimum of twenty four (24) inches above the finished grade of the lot so that contaminated water or other substances cannot enter the well through the annular opening at the top of the well casing, wall or pipe sleeve.

- b. Well Covers - Every potable water well shall be equipped with an overlapping cover at the top of the well casing or pipe sleeve. Covers shall extend downward at least two (2) inches over the outside of the well casing or wall. All well caps shall indicate Well Driller's name, depth of well and depth of casing.
- c. Pitless Adapter - Where pump sections or discharge pipes enter or leave a well through the side of the casing, the circle of contact shall be water-tight. The use of plastic/nylon adapters for this purpose is not acceptable. A brass pitless adapter with brass connectors or equivalent shall be required.
- d. Electrical Wiring - Electrical wiring for well pumps shall be encased in conduit from the bottom of the water supply line trench to the well cap.
- e. Drainage - All potable water wells and springs shall be constructed so that surface drainage will be diverted away from the well or spring.
- f. Pumping Equipment - All pumps installed in wells drilled to a depth greater than three hundred (300) feet, but not to exceed four hundred fifty (450) feet shall be installed with 200 pound per square inch plastic pipe. Well depths exceeding four hundred fifty (450) feet shall have pumps installed with Schedule 80 PVC threaded pipe or galvanized steel pipe to support the increased pumping pressure. The pressure rating on plastic pipe shall be at least 160 pounds per square inch, regardless of water supply depth.
- g. Pump Enclosure - Any pump room or any enclosure around a well pump shall be drained and protected from freezing by heating or other approved means. Where pumps are installed in basements, they shall be mounted on a block or shelf not less than eighteen (18) inches above the basement floor.

- h. Service - The size of water service pipe shall be a minimum diameter of 3/4 inch.
- i. Source. The source of the supply shall be from a water bearing formation drawn not less than one hundred (100) feet from the ground surface, unless it can be demonstrated that there is a flow of at least 6 gallons per minute at a lesser depth. There shall be at least twenty (20) feet of properly grouted well casing, and the supply source must not be subject to pollution.

#### SECTION 11 SEALING OF ABANDONED WELLS

The owner of any well shall, upon abandonment of any existing well or test hole, effectively seal and fill such wells or test holes. All wells must be filled with Portland/sand grout and the placement of the grout must be observed by the Codes Enforcement Officer. A well not in operation for three or more years or improperly maintained to prevent contamination shall be considered abandoned.

#### SECTION 12 VIOLATIONS

Any person violating any of the terms or provisions in this ordinance shall upon conviction thereof before a District Justice be subject to a penalty in the amount of \$500.00 for each offense. Each day that a violation of any provision of this Ordinance continues shall constitute a separate and distinct offense and distinct penalties hereunder. Any such fines collected will be used for general Township purposes.

#### SECTION 13 LIABILITY

No responsibility or liability for the construction of any well/water supply shall be deemed to be placed upon South Middleton Township or its officers, agents, or employees by virtue of the terms of this Ordinance or otherwise.

SECTION 14. - This Ordinance shall take effect immediately.

#### SECTION 15 SEVERABILITY

The provisions of this Ordinance shall be severable, and if any provision hereof shall be declared unconstitutional, illegal or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as the legislative intent of the Township that this Ordinance would have been amended as if such unconstitutional, illegal or invalid provision or provisions had not been included herein.

#### SECTION 16 REPEALER

All Ordinances or parts of Ordinances conflicting or inconsistent with the provisions of this Ordinance hereby adopted are hereby repealed.

**ENACTED AND ORDAINED** this 20<sup>th</sup> day of October, 1998.

BOARD OF SUPERVISORS

/s/ R. Duff Manweiler  
R. DUFF MANWEILER  
CHAIRMAN

ATTEST:

/s/ Barbara A. Wilson  
BARBARA A. WILSON, SECRETARY