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2008R25921

RECORDED ON

10/06/2008 03:59:47PM

CHAMPAIGN COUNTY

RECORDER

BARBARA A. FRASCA

REC FEE: 25.00

RHSPS Fee:

REV FEE:

PAGES 3

PIAT ACT: 0

PIAT PAGE:

## Recording Cover Sheet

ORDINANCE NO. 2008-09-097


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

Prepared for recording by:

Deborah J. Roberts, Deputy City Clerk

400 S. Vine Street, Urbana, IL 61801

Return to:

 Phyllis D. Clark, City Clerk  
City of Urbana  
400 S. Vine Street  
Urbana, IL 61801

**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 City of Urbana, 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 City of Urbana may exceed Class I groundwater quality standards for potable resource groundwater as set forth in 35 Illinois Administrative Code Part 620 or Tier 1 residential remediation objectives as set forth in 35 Illinois Administrative Code Part 742; and

WHEREAS, the City of Urbana 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 CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. 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 within the corporate limits of the City of Urbana by the installation or drilling of wells or by any other method is hereby prohibited. This prohibition expressly includes the City of Urbana.

Section 2. Penalties. Any person violating the provisions of this ordinance shall be subject to a fine of up to \$500.00 for each violation. Every day that the violation continues shall constitute a new violation.

Section 3. Definitions. "Person" is 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 4. 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 5. 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.

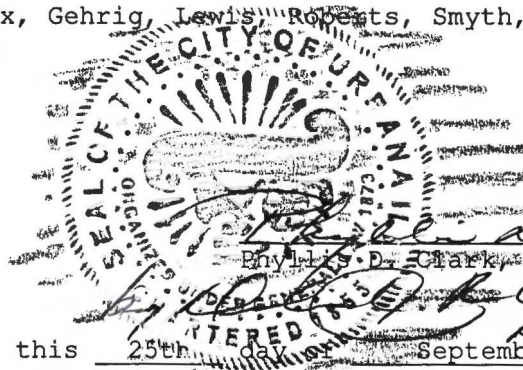
Section 6. Effective Date. This ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

PASSED by the City Council this 15th day of September,  
2008

AYES: Barnes, Bowersox, Gehrig, Lewis, Roberts, Smyth, Stevenson

NAYS:

ABSTAINS:



*Richard D. Clark*  
Richard D. Clark, City Clerk  
*[Signature]*  
Deputy Clerk

APPROVED by the Mayor this 25th day of September,  
2008

*Laurel Lunt Prussing*  
Laurel Lunt Prussing, Mayor