

ORDINANCE NO. 2006-06-12

**AN ORDINANCE ESTABLISHING A PROGRAM AND PROCEDURE FOR
THE MONITORING OF WATER QUALITY WITHIN THE TOWN OF
WARREN**

WHEREAS, the Town Board of the Town of Warren has authority to enact legislation for the purpose of safeguarding the public health, safety and welfare of its town residents; and

WHEREAS, the Town Board of the Town of Warren desires to monitor the quality of well water within its jurisdictional boundaries; and

THEREFORE, the Village Board of the Town of Warren does ordain as follows:

SECTION I. SECTION CREATED

Section _____ of the Municipal Code of the Town of Warren is hereby created to read as follows:

Sec. _____ Testing of residential private wells. The Town of Warren shall organize a procedure under which every private well within the Town boundaries will be tested at least once every four years. Participation by residents in the well testing program shall be voluntary. One fourth of the residential wells within the Town will be selected for testing each year and offered the opportunity to have their well water tested by the Town.

- (a) **Notice and Authorization.** The residents chosen each year will be notified in writing of the Town's desire to test their well and will be requested to grant the Town permission to enter the property for the sole purpose of testing the well water.
- (b) **Scheduling.** After receipt of authorization to proceed, a representative of the Town shall contact the resident or property owner and arrange a mutually agreeable date for the testing of the well.
- (c) **Presence of resident or property owner.** An adult resident or representative shall be present on the property at the time of well testing and shall inform the Town representative of any known conditions on the property which could present a danger to the health or safety of the representative while on the property. Such resident shall seek to minimize any such known dangers including the leashing of dogs or confining of any other animals on the property which could pose a threat to the representative.
- (d) **Test type**

- 1) The standard test will be testing for the following substances/conditions:

Coliform bacteria
Nitrate
Acidity (pH)
Bicarbonate (alkalinity)
Calcium and magnesium (hardness)
Chloride
Dissolved minerals (conductivity)
Corrosivity index

- 2) A limited number of properties will be selected each year for a more thorough test which will test for the following substances:

Pesticides (Minn. Dept. of Agriculture List 1)

Acetochlor (Harness/Surpass)
Alachlor (Lasso)
Atrazine (Aatrex)
Deethylatrazine
Deisopropylatrazine
Dimethenamid (Frontier)
Chlorpyrifos (Lorsban)
Cyanazine (Bladex)
EPTC (Eptam/Eradicane)
Ethalfuralin (Sonalan)
Fonofos (Dyfonate)
Metolachlor (Dual)
Metribuzin (Lexone/Sencor)
Pendimethalin (Prowl)
Phorate (Thimet)
Propachlor (Ramrod)
Prometon (Pramitol)
Propazine (Milogard)
Simazine (Princep)
Terbufos (Counter)
Triallate (Far-go)
Trifluralin (Treflan)

Herbicides

Volatile Organic Compounds

- (e) **Notification of results.** The Town shall maintain a copy of the results in its records. The Town shall supply each resident [or property owner] whose well was tested with a written copy of the test results.

- (f) **Costs.** All costs associated with this well testing program shall be borne by the Town of Warren.
- (g) **No assumption of liability.** In consenting to the testing of a well, the Town of Warren assumes no liability for remedying any unsafe condition revealed in the test results it obtains. The Town of Warren assumes no responsibility to notify the owner, resident or any occupant of the premises of the results of such tests except for its obligation to provide a written copy of the test results to the individual that authorized the test.

SECTION II. SEVERABILITY

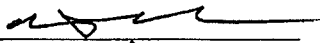
If any provision of this Ordinance, or any application of this Ordinance to any person or circumstance is found to be invalid or unconstitutional, such a finding shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provisions or applications.

SECTION III. EFFECTIVE DATE

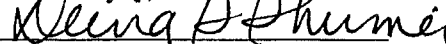
This Ordinance shall take effect on June 13, 2006. In the event publication of this ordinance is required by law, it shall take effect on the day after publication.

Adopted this 12th day of June, 2006.

TOWN OF WARREN



 Rich Meyer, Town Chairman



 Deina Shirmer, Town Clerk

Voted for: 5
 Voted against: 0
 Date adopted: 6/12/06
 Date published: 6/12/06
 Effective date: 6/12/06