

**ORDINANCE NO #438**

**AN ORDINANCE PROHIBITING THE USE OF GROUNDWATER  
AS A POTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE  
WATER SUPPLY WELLS OR ANY OTHER METHOD**

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**ADOPTED BY THE CITY COUNCIL  
OF THE CITY OF CASEY  
THIS 16<sup>TH</sup> DAY OF JULY, 2018.**

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Published in pamphlet for by authority of the City council of the City of Casey, Clark County, Illinois,  
this 16<sup>TH</sup> day of July, 2018.

**ORDINANCE NO. 438**

**AN ORDINANCE PROHIBITING THE USE OF GROUNDWATER AS A POTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE WATER SUPPLY WELLS OR ANY OTHER METHOD**

WHEREAS, certain properties in the City of Casey, 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 Casey may exceed Class I Groundwater Standards for potable resource groundwater as set forth in 35 Illinois Administrative Code 620 or Tier 1 remediation objectives as set forth in 35 Illinois Administrative Code 742; and

WHEREAS, the City of Casey 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 CASEY, ILLINOIS:

Section One. Use of groundwater as a potable supply is prohibited.

Except for such uses or methods in existence before the effective date of this ordinance, the use or attempt to use groundwater from all depths as a potable water supply within the area identified as Exhibit A (hereinafter referred to as "Ordinance Area") and further described in Exhibit B, attached hereto, by installation or drilling of wells or by any other method is hereby prohibited. This limitation applies to the City of Casey or any other person's construction or attempt to construct a well.

Section Two. Penalties.

Any person violating the provision of this ordinance shall be subject to a fine of up to \$750.00 for each violation.

Section Three. Definitions.

"Persons" 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 Four. 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 Five. Severability.

If any provision of this ordinance or its application to any person or under any circumstance is adjudged invalid, such adjudication shall not affect the validity of the ordinance as a whole or of any portion not adjudged invalid.

Section Six: Publication.

That the City Clerk of the City of Casey is hereby instructed to publish in pamphlet form and placed on public display on the City of Casey Community Board within the City Hall in Casey, Illinois, a copy of the within Ordinance immediately after the passage of same.

Section Seven: Effective Date.

This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

**ADOPTED** this 16th day of July, 2018, pursuant to a roll call vote as follows:

AYES: 5

NAYS: 0

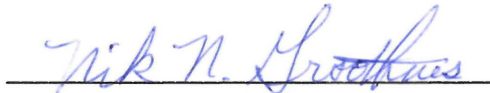
ABSENT: 1

Approved this 16<sup>th</sup> day of July, 2018.

ATTEST:



City Clerk



Mayor

(SEAL)



**EXHIBIT A**  
**Ordinance Area Map**



|       |                      |  |                        |
|-------|----------------------|--|------------------------|
| —SS—  | STORM SEWER          | ○ SOIL BORING—BH                           | △ MONITORING WELL—MW   |
| —SWS— | SEWER                | ● MONITORING WELL WITH SOIL SAMPLING—BH/MW |                        |
| —W—   | WATER LINE           | ● EARLY ACTION SAMPLE                      | RED FONT > TIER 1 RODS |
| —G—   | GAS LINE             |  |                        |
| —T—   | TELEPHONE LINE       |  |                        |
| —PL—  | PROPERTY LINE        |  |                        |
| —OE—  | OVERHEAD ELECTRIC    |  |                        |
| —UE—  | UNDERGROUND ELECTRIC |  |                        |

Groundwater Ordinance Area

LPC# 0234055032  
Clark County  
NE Corner of 12th & Main St.  
Casey, IL  
LUST Incident No. 20101115

**CHASE**  
Environmental Group

PROJECT NAME:  
JERRY SELF

DRAWN BY: KT

CHECKED BY:

DATE: SEPT 2016

SCALE: SCALE 1"=120'

PROJECT NO.: T1007018

TITLE: MODEL

DWG. NAME: SITE.DWG

DWG. NO. Exhibit A

EXHIBIT B  
Ordinance Area Description

ORDINANCE NO. 438  
ORDINANCE AREA DESCRIPTION

Beginning at the southeast corner of the intersection of East Main Street and North 10<sup>th</sup> Street, proceed northeasterly along the Main Street right of way to its intersection with NE 12<sup>th</sup> Street. Then proceed southerly along the NE 12<sup>th</sup> Street right of way to its endpoint at the railway right of way. Then continue along the railway right of way to the opposite side of NE 12<sup>th</sup> street right of way, then northerly to the Main Street right of way to its intersection with NE 12<sup>th</sup> Street. Then proceed northeasterly along Main Street to its intersection with NE 13<sup>th</sup> Street. Then proceed northwesterly along the NE 13<sup>th</sup> Street right of way to its intersection with East Alabama Avenue. Thence continue southwesterly along the East Alabama Avenue right of way to its intersection with North 10<sup>th</sup> Street. Thence proceed southeasterly along the North 10<sup>th</sup> Street right of way to the Point of Beginning.

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF CLARK )

CERTIFICATE


I, Jeremy Mumford, Clerk of the City of Casey, County of Clark, State of Illinois,  
do hereby certify that I am the keeper of the records, files and seal of the said City.

I further certify that on July 16, 2018, the Mayor and City Council of  
such municipality passed and approved Ordinance No. 438, which provided by  
its terms that should be published in pamphlet form.

The pamphlet form of Ordinance No. 438 was prepared, and a copy of such  
Ordinance was posted in the City Hall, commencing on July 16<sup>th</sup>, 2018.

I further certify that the within and foregoing is a true, perfect and complete copy  
of An Ordinance Prohibiting The Use Of Groundwater As A Potable Water Supply  
By The Installation or Use of Potable Water Supply Wells or Any Other Method of the  
City of Casey, County of Clark, and State of Illinois being Ordinance No. 438 of the City  
of Casey, Illinois, and on file and of record in my office.

Dated at Casey, Illinois, this 16<sup>th</sup> day of July, 2018.

  
Jeremy Mumford, City Clerk  
City of Casey, County of Clark  
and State of Illinois

(SEAL)