

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 Rolling Meadows, 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 may exceed Class I groundwater quality 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 Rolling Meadows 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 ROLLING MEADOWS, ILLINOIS:

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

The use or attempt to use as a potable water supply groundwater from within the property at 3737 Industrial Avenue and a minimum buffer area of 200 ft surrounding the property, but for the areas where the buffer is extended to approximate nearby property boundaries to a maximum of 350 ft from the 3737 Industrial Avenue property line, within the City of Rolling Meadows, as a potable water supply, by the installation or drilling of wells or by any other method, is hereby prohibited.

Exhibit A identifies the specific area for the ordinance on a map. Exhibit B includes a legal description for the specific area. This prohibition applies at all depths and includes all aquifers and geologic formations within the ordinance area. This prohibition expressly includes the City of Rolling Meadows.

Section Two. Penalties.

Any person violating the provisions of this ordinance shall be subject to a fine of up to \$500.00 for each violation.

Section Three. 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 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 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 Six. Effective date.

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

Yeas: Cannon, Allen, Buske, Judd, Banger, D'Astice

Nays: 0

Absent: D'Astice

Passed and approved this 13th day of November 2012



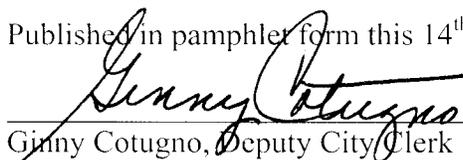
Tom Rooney, Mayor

ATTEST:



Ginny Cotugno, Deputy City Clerk

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Ginny Cotugno, Deputy City Clerk