

## EXHIBIT "B"

### CHAPTER 14.04 WELL REGULATIONS – GENERAL PROVISIONS

#### 14.04.050 - Permit required and inspections.

- A. No person, as principal, owner, servant, agent or employee, shall dig, drill, or drive, repair or destroy any (water) well regardless of whether the well is to be used for domestic, irrigation, testing, geophysical or cathodic protection or other practices, without having a valid, unrevoked or unsuspended permit to do so, issued by the county health officer.
- B. Except as provided in subsection F of this section, the health officer shall issue the permit when he/she finds that the location of the proposed well and other circumstances relating thereto, or other work to be done, is such that it will not constitute a health hazard and can be accomplished in accordance with the provisions of Chapters 14.04 and 14.08 of this title. In the event that the health officer determines that the proposed well or work to be done will constitute a health hazard or cannot be done in accordance with Chapters 14.04 and 14.08, he shall deny the permit.
- C. There shall be no fee for the application or issuance of any permit issued pursuant to this chapter for construction, reconstruction, repair, change of use or destruction, since these regulations are for the benefit of the general public.
- D. Inspections may be made by the health officer at any time during construction, reconstruction, repair or destruction of (water) wells to insure compliance with the requirements of this chapter, Chapter 14.08 and state statutes applicable to such construction, reconstruction, repair or destruction of (water) wells. After the work has been completed, the health officer shall be notified by the person performing the work and the health department shall make a final inspection thereof. The health officer shall inspect injection wells used for industrial waste four times a year. The health officer shall inspect all other injection wells once a year.
- E. No property owner shall be denied the right to install a well or pump upon his or her own property, excepting as provided under Chapter 14.09.
- F. Before issuing any permit to destroy any water well, the health officer shall determine whether the well is within an area that would benefit from additional groundwater monitoring wells. If the well is within such an area, then the health officer shall immediately refer the permit to the Water and Natural Resources Manager of the Department of Public Works and Planning, who shall immediately give written notice to the groundwater sustainability agency with jurisdiction over the area where the well is located. The written notice shall specify that the

groundwater sustainability agency has five county business days in which to respond and state whether it intends to pursue conversion of the well to groundwater monitoring in lieu of destruction.

1. If the written response from the groundwater sustainability agency is that it does not so intend, or if the groundwater sustainability agency does not respond in writing within five county business days, then the Department of Public Works and Planning shall immediately return the permit to the health officer for further processing as provided in this section 14.04.050.
  
2. If the written response from the groundwater sustainability agency is that it does intend to pursue conversion of the well to groundwater monitoring in lieu of destruction, then the property owner shall immediately cover the well with a locked watertight cap or other secured means, and the groundwater sustainability agency has 60 days in which to do all of the following: (a) negotiate with the property owner; (b) execute a written agreement for maintenance of the well by the groundwater sustainability agency, which agreement must also provide that when the well is no longer useful as a monitoring well, it shall be destroyed; (c) obtain an easement for maintenance access; and (d) provide copies of fully executed to the health officer. If the groundwater sustainability agency fails to do all of those things within the 60-day period, then the Department of Public Works and Planning shall immediately return the permit to the health officer for further processing as provided in this section 14.04.050.

(Ord. 89-00 1 § 1; Ord. 0-83-008, § 2; Ord. 470-A-39, § 1, 1974)