ORDINANCE 2018-020               PASSED: MAY 14, 2018

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 WITHIN A CERTAIN AREA IN THE CITY
OF DEKALB.

WHEREAS, certain property within the City of DeKalb, Illinois (the “City”) located at 1110
N. First Street was previously used over a number of years as a dry cleaners; and

WHEREAS, because of said use, concentrations of certain chemical constituents in the
groundwater beneath the City may exceed Class 1 groundwater quality standards for
potable resource groundwater as set forth in 35 Illinois Administrative Code 620 or Tier 1
residential remediation objectives as set forth in 35 Illinois Administrative Code 742; and

WHEREAS, the City desires to limit potential threats to human health from groundwater
contamination while facilitating the redevelopment and productive use of properties that
are at or around the source of said chemical constituents.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL of the City of DeKalb,
Illinois as follows:

Section 1. 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 2. The use or attempt to use groundwater as a potable water supply from within
the 750’ radius area shown on Exhibit A, attached to and made a part of this ordinance,
by the installation or drilling of wells or by any other method is hereby prohibited, included
at points of withdrawal by the City.

Section 3: Penalties. Any person violating the provisions of this ordinance shall be
subject to a fine of up to Five Hundred Dollars ($500.00) for each violation.

Section 4: Repealer. All ordinances or parts of ordinances in conflict with this ordinance
are hereby repealed by this ordinance insofar as they are in conflict with this ordinance.
Section 5. Severability. If any provisions 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. This Ordinance shall, by authority of the City Council be published in pamphlet form. From and after ten days after such publication, this Ordinance shall be in full force and effect upon its passage and approval according to law.


ATTEST:

RUTH A. SCOTT, Deuty City Clerk

JERRY SMITH, Mayor