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Water Well Drilling Permit Application

Permit Number (issued by City): _____	ISSUE DATE: _____
Project Address: _____	EXTENSION: _____
Lot: _____ Block: _____ Subdivision: _____	

Property Owner Name: _____		
Contact Person/Title: _____	Email: _____	
Mailing Address: _____		
Phone Number: _____	Fax Number: _____	Mobile Number: _____

Water Well Drilling Permits are valid for the purpose of drilling for up to 180 days from the date of issue and may be renewed by request of the owner/applicant or driller and approval of the Building Official once for an additional 180 days. The terms of this application and permit once issued shall remain perpetually binding unless this permit shall expire with work being incomplete, upon which all incomplete work shall be restored to original condition.

Location information to be submitted with this application for proper review should include, but is not limited to:

a) property boundaries (plat map preferable), b) existing & proposed structures, c) floodplains, d) ponds or other water features, e) water lines, f) sanitary sewer or septic lines-sites-tanks-or fields, g) storm sewer lines, h) other possible contaminants, and
 i) the proposed well site with distances to all previously listed features (a-h) noted clearly.

Driller	Driller Business Address	Phone Number	Driller License Number
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Driller need not be specified at time of application for approval of location; however, prior to final issuance of permit, driller information shall be provided and driller shall certify agreement with permit terms. Additionally, driller shall provide detailed water well design specifications and other necessary information sufficient to facilitate review in accordance with City of Quitman - Code of Ordinances Section 53.21 (D). Driller shall notify City not less than 24 hours prior to commencement of drilling AND completion of all work under this permit.

OWNER/APPLICANT CERTIFICATION (MUST BE NOTARIZED)

I hereby certify that I have read and examined this application (including attached location information) and know the same to be true and correct, with any misrepresentation or omission being a violation of the City of Quitman - Code of Ordinances punishable under Section 10.99. I further certify that if I am not the owner, I am a duly authorized representative of the owner with authority to execute this application and agree with its provisions on behalf of the owner. I certify that all provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. I acknowledge that the granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating drilling/construction or the performance of drilling/construction. I also certify that I have received a copy of 'Regulation and Permitting of Water Wells' containing Sections 53.20, 53.21, 53.21A-D, 53.22 and 10.99 of the City of Quitman - Code of Ordinances and agree to the provisions and terms herein and therein; specifically, but not limited to **(owner/applicant must initial each)**:

Inspections of well & related property by the City or its agents for potential safety threats, cross connections, and sanitary sewer use are authorized by owner.	Testing or additional inspection of well at cost to permittee on annual basis may be required by City if contamination, failure, or substandard condition is suspected.
All City water meters at same property will be required to have an approved backflow prevention device with annual certification provided to City. **	The use of the well shall be for irrigation and agricultural purposes only, any other use will be cause for disabling of the well with no liability borne by City.
No well water may enter City's sanitary sewer system without prior consent, such will be cause for metering/charge or disabling of the well.	Upon sale or transfer of the property, these conditions shall be binding as a covenant and restriction on the property; an issued permit will be filed with the County Clerk as such.

*** The installation of a backflow device creates a closed system. Without appropriate pressure-relief, thermal expansion in a closed system could cause: pressure surges, dripping faucets, chronic or continuous dripping of temperature and pressure-relief valves on hot water-heating tanks, and other mechanical problems with hot-water heating tanks, including distortion and rupture. A licensed plumber should be consulted regarding your system prior to installation of a backflow prevention device to assure protection from problems associated with thermal expansion and compliance with adopted City codes.*

Signature of Owner/Applicant: _____ Date: _____

NOTARIZATION:

STATE OF TEXAS COUNTY OF _____

This instrument was acknowledged before me this _____ day of _____,

by _____ . Personally Known
 Produced _____ as Identification

{NOTARY SEAL}

Signature of Notary Public

Printed Name - Notary Public, State of Texas

DRILLER CERTIFICATION (MUST BE NOTARIZED)

I hereby certify that I have read and examined this application (including attached location information) and know the same to be true and correct, with any misrepresentation or omission being a violation of the City of Quitman - Code of Ordinances punishable under Section 10.99. I further certify that I am a licensed 'water well driller/pump installer' in the State of Texas and will comply with all provisions of laws and ordinances governing this type of work whether specified herein or not. I acknowledge that the granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating drilling/construction or the performance of drilling/construction. I also certify that I have received a copy of 'Regulation and Permitting of Water Wells' containing Sections 53.20, 53.21, 53.21A-D, 53.22 and 10.99 of the City of Quitman - Code of Ordinances and agree to the provisions and terms herein and therein as they relate to the drilling of water wells.

Signature of Driller: _____ Date: _____

NOTARIZATION:

STATE OF TEXAS COUNTY OF _____

This instrument was acknowledged before me this _____ day of _____,

by _____ . Personally Known
 Produced _____ as Identification

{NOTARY SEAL}

Signature of Notary Public

Printed Name - Notary Public, State of Texas

OFFICE USE ONLY:						
TOTAL FEES:	\$75.00	Chk #/Cash	Location Info:	Attached / Not Attached	Reviewed by:	
Received by:			Driller Info:	Received / Not Received	Final Action:	
Date Received:			Well Specs:	Received / Not Received	Date of Action:	
NOTES:					Installed Well Inspected:	

REGULATION AND PERMITTING OF WATER WELLS

Sec 53.20 PERMIT REQUIRED FOR DRILLING PRIVATE WATER WELLS

(A) It shall be unlawful for any person, firm or corporation to drill or attempt to drill any water well within the corporate limits of the city without a permit approved by the City.

(B) The application for a water well permit shall include: the location of the well; name, address and telephone number of the owner; name, address and telephone number of the driller; and a statement regarding the use of and necessity for the well.

(adopted by Ord. 92-12-10, passed 12-10-1992 [original passage]; adopted in codification by Ord 080619-01, passed 06-19-2008 [codification into this Code of Ordinances]; Section 53.20(C) struck by Ord. 021209(03) [removing fee for application equal to ½ water meter tap fee], passed 02-12-2009; Section 53.20 (A) amended by Ord. 011713(01), passed 01-17-2013 [removing Council after City.] Penalty, see § 10.99

Sec. 53.21 PERMITTING OF WATER WELLS

Water well permits shall be issued by the City Building Official only after the following conditions have been met:

(A) All water wells shall be located so that no danger of pollution from flooding or unsanitary surroundings exists; and

(B) All water wells shall be located at least 50 feet from any property line of applicant's property; and

(C) Any person acting as a water well driller must hold a license in good standing issued by the Executive Director of the Texas Department of License and Regulations pursuant to the Texas Occupations Code, Chapters 1901 and 1902; and

(D) Each proposed water well, water well location and water well design shall meet each condition established by **16 TEXAS ADMINISTRATIVE CODE, CHAPTER 76**, entitled *Water Well Drillers and Water Well Pump Installers*, as amended from time to time; and

(E) Each water well permit applicant shall first agree, as a part of the Permit Application, to consent to the inspection of the water well site and water well drilling process, as specified by the Quitman Director of Public Works or designee, and shall additionally consent to annual inspections and testing of the water well site as well as all potential cross connection locations with the Quitman public water system and the Quitman sanitary sewer system; and

(F) Any water to be produced from any water well drilled within the city limits of Quitman shall be used exclusively for irrigation and/or agricultural purposes only.

(adopted by Ord. 92-12-10, passed 12-10-1992 [original passage]; adopted in codification by Ord 080619-01, passed 06-19-2008 [codification into this Code of Ordinances]; replaced by Ord. 021209(03), passed 02-12-2009 [prohibiting issuance of permit except as City could not provide water]; replaced by Ord. 011713(01), passed 01-17-2013.) Penalty, see § 10.99

Sec. 53.21A PREVENTION OF CONTAMINATION OF PUBLIC WATER SUPPLY AND CROSS CONNECTIONS

(A) Each person maintaining or operating a water well within the city limits shall install and maintain a backflow prevention device acceptable to the Public Works Director of the City of Quitman on the water line immediately adjacent to any City water meter serving the property upon which such water well is located in a manner sufficient to prevent contamination to the Quitman municipal water supply by well water in the event that the well system were to be inadvertently cross connected to the City water system. Such device shall be annually inspected and certified in operable condition by a licensed inspector for such purpose and certification provided to the City.

(B) It shall be unlawful to cross connect any water well in the City to any pipe or line intended to or capable of carrying City municipal water.

(C) It shall be unlawful to permit water discharged from a water well in the City to flow into or be diverted into the municipal sanitary sewer system without prior consent of the City. In the event that the City determines that well water is being discharged into the City sanitary sewer system, applicant shall be deemed by its application for a water well permit to have consented to and authorized the City of Quitman to install a metering device upon the water well, and shall thereafter pay the regular municipal charges for sewer treatment for all water produced by the water well. In such event, the City shall install a meter upon the water well and the Applicant shall remit to the City within 15 days the usual and typical water tap fee for a new meter installation. The City shall invoice Applicant each month thereafter for the costs of sewer treatment regularly charged other City residents for all water produced from said well. In the event that Applicant fails to remit said sewer charges in accordance with the regular sewer billing and payment policies of the City, the City may disconnect municipal water service to the Applicant's property and may also enter upon Applicant's property and disable the water well so as to prevent water from being produced therefrom. Responsibility for any damage to the water well in such event shall remain solely the responsibility of the Applicant.

(D) Each Applicant for a water well permit shall, as a condition of the permit, authorize each act of the City of Quitman authorized in this Ordinance. Each application shall reference this Ordinance, and the Applicant shall be entitled to receive a copy of this Ordinance at the time of application. The representations and agreements of Applicant shall run with the water well, and upon the sale or transfer of any property upon which a water well is located, the purchaser shall be required to complete and file with the City Secretary an application to transfer water well permit, by which the transferee of the water well permit shall agree to be bound to the agreements and authorizations of the original Applicant.

(adopted by Ord. 011713(01), passed 01-17-2013) Penalty, see § 10.99

Sec. 53.21B PERMIT FEES AND INSPECTIONS

(A) Each water well permit application shall be accompanied by a fee of \$75.00.

(B) The Quitman Public Work Director or designee, may conduct an inspection of the premises upon which any water well is located. Said inspection may be conducted to insure that the water well is being maintained in a safe and wholesome manner, and that all municipal, state and federal regulations are being met. Said inspection may include, but is not limited to confirmation that no cross connections to either the municipal water system or the sanitary sewer system have occurred and a determination that the backflow prevention device or devices are in proper working order.

(C) Except in the event of a violation of Sec. 53.21 (C) herein, Applicant shall correct any condition of the water well which violates any provision of this ordinance, or state or federal law within 15 days after notice of same and shall not, in any event, produce any water from said water well until said condition shall be corrected and the corrections shall have been reinspected and approved by the Quitman Public Works Director, or his designee. In the event of a violation of Sec. 53.21 (C) herein, Applicant shall not produce water from said water well until the completion of the installation of the water meter at the well head and the payment of the meter fee to the City.

(adopted by Ord. 011713(01), passed 01-17-2013) Penalty, see § 10.99

Sec. 53.21C APPLICATION TO EXISTING WATER WELLS

In order to protect the health and safety of the citizens of the city, the provisions of this ordinance shall apply to all existing water wells within the city limits.

(adopted by Ord. 011713(01), passed 01-17-2013) Penalty, see § 10.99

Sec. 53.21D PENALTIES

A violation of any provision of this Chapter is a violation of this Code and shall be punishable by fines in accordance with the general penalty provisions contained in Section 10.99.

(adopted by Ord. 011713(01), passed 01-17-2013)

Sec. 53.22 ABANDONED WELLS.

(A) An abandoned well is any well which has been continuously out of use for a period of 2 years, or longer. Whenever any well has not been in active use for more than 2 years, the owner or operator of the well shall report the fact to the Public Works Director. Every abandoned well shall be filled and plugged with such materials and in such manner as, in the judgment of the Public Works Director, will prevent the pollution and contamination of the city's water supply or the contamination of any other well within the limits of the city; the filling and plugging shall be done under the supervision of the Public Works Director, and at the expense of the owner of the well.

(B) Whenever the Public Works Director shall receive notice from any source of the existence of an abandoned well which has not been plugged and filled in accordance with the provisions of this section, he or she shall notify the owner or agent in charge of the well or of the property upon which it is situated that the well is abandoned and shall instruct him or her to fill and plug the well in accordance with this section, and the owner or operator of the well shall comply with the order within 60 days after its date. Should he or she fail so to comply within this period or if, after using reasonable diligence, the Director should fail to locate the owner or agent in charge of the well or of the property upon which the well is situated, the Public Works Director may go on the land or property upon which the well is situated and fill and plug the abandoned well in the manner provided, and the owner thereof shall be liable to the City of Quitman for the cost of the work and shall pay the cost upon demand.

(adopted by Ord. 92-12-10, passed 12-10-1992 [original passage]; adopted in codification by Ord 080619-01, passed 06-19-2008 [codification into this Code of Ordinances]) Penalty, see § 10.99

§ 10.99 GENERAL PENALTY.

(A) Whenever in this code or in any ordinance of the city an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in the code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of any such provision of this code or any such ordinance shall be punished by:

(1) A fine not to exceed \$2,000 in all cases arising under municipal ordinances that govern fire safety, zoning, and public health and sanitation, including dumping of refuse;

(2) A fine not to exceed \$500 in all other cases; provided, however, that no penalty shall be greater or less than the penalty provided for the same or a similar offense under the laws of the state.

(B) Each day any violation of this code or of any ordinance shall continue shall constitute a separate offense. In the event that any such violation is designated as a nuisance under the provisions of this code, the nuisance may be summarily abated by the City Manager or the Chief of Police or their assigns.

Statutory reference: Municipal penalties, see Tex. Loc. Gov't Code, § 54.001

(adopted by Ord 080619-01, passed 06-19-2008 [adoption of Code of Ordinances])