



Community Development Department  
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**For the Meeting of October 1, 2024**

☐ Consent Item; ☒ Public Hearing Item

To: City Council

From: Kevin Caldwell, Community Development Director

A handwritten signature in blue ink, consisting of a stylized 'K' and 'C'.

Through: Kyle Knopp, City Manager

Date: September 24, 2024

Subject: Second reading and approval of Ordinance No. 407-2024 amending Chapter 13.20 "Water Wells" of the Rio Dell Municipal Code (RDMC) to clarify that the County Department of Environmental Health administers the City's water well-permitting process.

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**Recommendation:**

That the City Council:

1. Allow staff to briefly discuss Ordinance No. 407- 2024 amending Chapter 13.20 "Water Wells" of the Rio Dell Municipal Code (RDMC) to clarify that the County Department of Environmental Health administers the City's water well permitting process; and
2. Open public comment and receive comments from the public; and
3. Close public comment and deliberate; and

4. Approve and adopt Ordinance No. 407-2024 amending Chapter 13.20 “Water Wells” of the Rio Dell Municipal Code (RDMC) to clarify that the County Department of Environmental Health administers the City’s water well-permitting process

**Discussion:**

As was discussed at the Council meeting of September 17, 2024 the City was recently contacted by the Humboldt County Department of Environmental Health (DEH) in response to a well application. Please note it is very rare that the City/County receives an application for a well. DEH has administered the City’s well-permitting process for decades. The City’s current regulations, Chapter 13.20 “Water Wells”, are not clear that the County administers the City’s well-permitting process. The proposed changes clearly identify the County as the permitting jurisdiction.

The changes also include some additional definitions for “Agricultural wells” and the “County”. As indicated at the previous Council meeting there are other recommended changes including the following additional provisions:

**● *Connection to Public Water Supply Required. Connection to the public water supply shall be required if the property is within 300 feet of an existing public water main.***

**● *Agricultural Wells. Wells used exclusively for agricultural or irrigation purposes may be allowed subject to the provisions of this chapter.***

**● *Setback. No well, except for monitoring wells or cathodic protection wells, shall be constructed within fifty feet from the property line of the property owner to whom a permit is issued for construction of the well, or within a five-hundred-foot radial distance from any existing well.***

As the Council may remember staff was going to reach out to the County regarding the recommended setback requirements. The recommended setbacks are from Santa Cruz County. The City’s Water Superintendent reports that the recommended 50-foot setback from property lines is consistent with the State requirement. The County does not currently have

setback requirements from property lines, but they do plan to amend their regulations to establish minimum setbacks. The one issue the County did raise was in the case where sewer service is not available. They indicated that placing a well within 90 feet of a property line may eliminate the potential development of a vacant parcel that is dependent on an On-Site Wastewater Treat System (OWTS), a septic system on smaller parcels.

There are three areas within the City that rely on OWTS's or septic systems, the Dinsmore Plateau, the former Eel River Sawmill site and those parcels west of Wally and Sandra Close's property on Belleview Avenue. Public water is available to every parcel in the City.

Based on existing State regulations and those areas dependent upon OWTS's staff recommends the following:

- ❖ A 50-foot setback on those parcels provided public sewer service; and
- ❖ A 100-foot setback on those parcels that are dependent on OWTS's or adjacent to parcels that are dependent on OWTS's; and
- ❖ A 500-foot radial distance from any existing well.

The Council also has the option of prohibiting new wells on all parcels within 300 feet of an existing public water main.

**● Connection to Public Water Supply Prohibited. No pipe or other connection shall be made or permitted between water well sources and the public water supply provided by the city water department to assure that the use of well water shall remain independent from any other water supply. Any property with a water well, except monitoring wells or cathodic protection wells, which is also served from the city water system shall install an appropriate backflow prevention device in accordance with the chapter.**

**● Sale or Export. No person shall be permitted to sell, transport or export water from the overlying property to which the permit was issued for water well construction to assure that the use of well water shall only reasonably benefit the overlying land.**

Again, staff has shared the recommended changes with the County Department of Environmental Health and with the City Water and Wastewater Superintendents. Neither the County nor the City Water and Wastewater Superintendents have expressed any concerns with the recommended text amendments.

Based on Council's decision, staff will amend the draft Ordinance accordingly.

**CEQA:**

This ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), in that there is no evidence that the proposed changes will have a significant adverse effect to the environment.

**ATTACHMENT 1:** Ordinance No. 407-2024 amending Chapter 13.20 "Water Wells" of the Rio Dell Municipal Code (RDMC) to clarify that the County Department of Environmental Health administers the City's water well permitting process.

**ORDINANCE NO. 407-2024**



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL  
AMENDING CHAPTER 13.20 “WATER WELLS” OF THE RIO DELL MUNICIPAL CODE  
(RDMC) TO CLARIFY THAT THE COUNTY DEPARTMENT OF ENVIRONMENTAL  
HEALTH ADMINISTERS THE CITY’S WATER WELL PERMITTING PROCESS.**

**THE CITY COUNCIL OF THE CITY OF RIO DELL ORDAINS AS FOLLOWS:**

**WHEREAS** the City has relied upon the Humboldt County Department of Environmental Health to administer the City’s Water Well permitting regulations for decades; and

**WHEREAS** the Humboldt County Department of Environmental Health recently contacted the City in response to a well application; and

**WHEREAS** the Humboldt County Department of Environmental Health reviewed the City’s well regulations and suggested they be amended to clearly reflect that the County is responsible for administering the City’s Water Well permitting regulations; and

**WHEREAS** the proposed changes identify the County as the permitting jurisdiction; and

**WHEREAS** other changes include establishing definitions for “Agricultural wells” and “County” in addition to new provisions regarding agricultural wells, setbacks, backflow prevention devices and the sale and export of water; and

**WHEREAS** the proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a project that has the potential to cause a significant effect on the environment under Title 14 of the California Code of Regulations, Section 15061(b)(3). No further environmental review is necessary.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the City Council of the City of Rio Dell does hereby ordain as follows:

**Section 1.**

Chapter 13.20 of the Rio Dell Municipal Code is hereby amended as follows:

## **Chapter 13.20**

### **WATER WELLS**

#### Sections:

13.20.010 Intent of chapter.

13.20.020 Definitions and interpretations.

13.20.030 Permit applications.

13.20.040 Application procedure.

13.20.050 Filing fees.

13.20.060 Permit conditions.

13.20.070 Permit – Denial.

13.20.080 Permit – Expiration.

13.20.090 Permit – Suspension and revocation.

13.20.100 Well standards.

13.20.110 Variances.

13.20.120 Special ground water protection.

13.20.130 Inspections generally.

13.20.140 Initial inspection.

13.20.150 Inspection of well seal.

13.20.160 Final inspection.

13.20.170 Waiver of inspections.

13.20.180 Completion reports.

13.20.190 Appeals.

13.20.200 Right of entry and inspection.

13.20.210 Abatement of abandoned wells.

13.20.220 Violation a misdemeanor.

13.20.230 Civil enforcement – Notice of violation.

13.20.240 Civil enforcement – Nuisance.

13.20.250 Remedies cumulative.

13.20.260 Reports to regional board.

### **13.20.010 Intent of chapter.**

It is the purpose of this chapter to protect the health, safety, and general welfare of the people of the State of California by ensuring that the ground waters of this State will not be polluted or contaminated. To this end, minimum requirements are contained in this chapter for construction, reconstruction, repair, and destruction of water wells, cathodic protection wells, and monitoring wells. [Ord. 208 § 1.01, 1991.]

### **13.20.020 Definitions and interpretations.**

(1) As Defined in Other Documents. Except as otherwise required by the context of this chapter, the terms used in this chapter shall have the same meaning as in Chapter 10 of Division 7 of the California Water Code and the Department of Water

Resources Bulletin 74-81 and subsequent supplements or revisions.

**“Agricultural wells” means water wells used to supply water for irrigation or other agricultural purposes, including so-called “stock wells.”**

**“City Council”** shall mean the City Council of the City of Rio Dell.

**“County” shall mean the Humboldt County Department of Health and Human Services Public Health Branch**

**“Enforcement officer”** shall mean the City Manager, who is designated by the City Council to administer and enforce this chapter. The City Manager may delegate any of the powers and duties to any other officer or employee of the City, or may recommend to the City Council that such powers and duties be performed under contract with any qualified person or public or private agency for any or all of the responsibilities and duties imposed by this chapter.

**“Person”** shall mean any person, firm, corporation or governmental agency, to the extent authorized by law.



Well or Water Well. The California Water Code, Section [13710](#), defines well or water well to mean “any artificial excavation constructed by any method for the purpose of extracting water from or injecting water into, the underground.” The State Water Resources Control Board does not intend that potholes, drainage trenches or canals, waste water ponds, shallow root zone piezometers, stock ponds, or similar excavations be included within the definition of wells.

(2) Tense or Gender. Words used in the present tense include the future as well as the present. Words used in the masculine gender include the feminine and neuter. The singular number includes the plural, and the plural the singular.

(3) Section headings, when contained in this chapter, shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of the provisions of any section. [Ord. 208 § 1.02, 1991.]

#### **13.20.030 Permit applications.**

(1) When Permit Is Required. No person shall dig, bore, drill, deepen, modify, repair, or destroy a water well, cathodic protection well, observation well, monitoring well or any other excavation that may intersect ground water without first applying for and receiving a permit as provided in this chapter, unless exempted by law.

(2) Penalty for Failure to Obtain Permit. Any person who shall commence any work for which a permit is required by this chapter without having obtained a permit shall be required, if subsequently granted a permit for this work, to pay double the standard permit fee.

(3) Emergency Work. The above provisions shall not apply to emergency work required on short notice to maintain drinking water or agricultural supply systems. In such cases, the person responsible for the emergency work shall:

(a) Urgency. Satisfy the ~~enforcement officer~~ **County** that such work was urgently necessary.

(b) Conformance with Standards. Demonstrate that all work performed was in conformance with the technical standards as designated in RDMC [13.20.100](#). [Ord. 208 § 2.01, 1991.]

#### **13.20.040 Application procedure.**

Applications for permits shall be made to the ~~enforcement officer~~ **County** on forms approved by the agency and shall contain all such information the ~~enforcement officer~~ **County** requires to accomplish the purposes of this chapter.

The application shall be accompanied by the required filing fee. If the ~~enforcement officer~~ **County** finds the application contains all necessary information, it shall issue to the applicant a comprehensive permit containing such conditions as are necessary to fulfill the purposes of this chapter. [Ord. 208 § 2.02, 1991.]



### **13.20.050 Filing fees.**

Filing fees ~~may be set by the City Council~~ **are established by the Board of Supervisors** from time to time by resolution. [Ord. 208 § 2.03, 1991.]

### **13.20.060 Permit conditions.**

- (1) Limitations. When the ~~enforcement officer~~ **County** issues a permit pursuant to this chapter, ~~he or she may~~ **the County** condition the permit in any manner necessary to carry out the purposes of this chapter. Conditions may include, but are not limited to such quantity and quality testing methods as the ~~enforcement officer~~ **County** finds necessary.
- (2) Performance Bond. The ~~enforcement officer~~ **County** may require a performance bond as a condition to the permit.
- (3) Persons Permitted to Work on Wells. All construction, reconstruction, or destruction work on wells shall be performed by a person who possesses an active C-57 contractor's license in accordance with the provisions of the California Business and Professions Code Section 7000 et seq. and Water Code Section 13750.5.
- (4) Proper Disposal of Drilling Fluids. The permit shall contain a clause requiring the safe and appropriate handling and disposal of drilling fluids and other drilling materials used in connection with the permitted work.
- (5) Abandoned Wells. As a condition of a construction or reconstruction permit, any abandoned wells on the property shall be destroyed in accordance with standards provided in this chapter.
- (6) Posting of Permit. It shall be the responsibility of the permittee to maintain a copy of ~~this~~ **the** permit on the drilling site during stages of construction or destruction. [Ord. 208 § 2.04, 1991.]

### **13.20.070 Permit – Denial.**

The ~~enforcement officer~~ **County** shall deny an application for a permit if, in his or her judgment, issuance of a permit is not in the public interest. [Ord. 208 § 2.05, 1991.]

### **13.20.080 Permit – Expiration.**

The permittee shall complete the work authorized by the permit within the time and before the date set out in the permit. If there have been exceptional circumstances, the ~~enforcement officer~~ **County** may grant the applicant an extension. Upon the expiration of the permit, no further work shall be done unless and until the applicant has received an extension or a new permit. [Ord. 208 § 2.06, 1991.]

### **13.20.090 Permit – Suspension and revocation.**

(1) Circumstances for Such Action. The ~~enforcement officer~~ **County** may suspend or revoke any permit issued pursuant to this chapter, whenever he or she finds that the permittee has violated any of the provisions of this chapter, or has misrepresented any material fact in his application, or any supporting documents, for such a permit. Prior to ordering any such suspension or revocation, the ~~enforcement officer~~ **County** shall give the permittee an opportunity for a hearing thereon, after reasonable notice. The hearing shall be before the enforcement officer or his or her designated representative. An appeal may be made as set forth below.

(2) Consequences. No person whose permit has been suspended or revoked shall continue to perform the work for which the permit was granted until, in the case of suspension, such permit has been reinstated by the enforcement officer.

(3) Ordered Additional Work. Upon suspending or revoking any permit, the ~~enforcement officer~~ **County** may order the permittee to perform any work reasonably necessary to protect the underground waters from pollution or contamination, if any work already done by the permittee has left a well in such condition as to constitute a hazard to the quality of the underground waters. No permittee or person who has held any permit issued pursuant to this chapter shall fail to comply with any such order. [Ord. 208 § 2.07, 1991.]

### **13.20.100 Well standards.**

Except as otherwise specified, the standards for the construction, repair, reconstruction, or destruction of wells shall be as set forth in:

(1) Department of Water Resources Bulletin 74-81. The California Department of Water Resources Bulletin 74-81, Water Well Standards, State of California, except as modified by subsequent revisions.

(2) All Subsequent Supplements and Revisions. All subsequent Bulletin 74-81 supplements or revisions issued by the Department of Water Resources, once the revised standards have been reviewed at an appropriate public hearing. [Ord. 208 § 3, 1991.]

**(3) Connection to Public Water Supply Required. Connection to the public water supply shall be required if the property is within 300 feet of an existing public water main.**

**(4) Agricultural Wells. Wells used exclusively for agricultural or irrigation purposes may be allowed subject to the provisions of this chapter.**

**(5) Setback. No well, except for monitoring wells or cathodic protection wells, shall be constructed within fifty feet from the property line of the property owner to whom a permit**



is issued for construction of the well, or within a five-hundred-foot radial distance from any existing well.

(6) **Connection to Public Water Supply Prohibited.** No pipe or other connection shall be made or permitted between water well sources and the public water supply provided by the city water department to assure that the use of well water shall remain independent from any other water supply. Any property with a water well, except monitoring wells or cathodic protection wells, which is also served from the city water system shall install an appropriate backflow prevention device in accordance with the chapter.

(7) **Sale or Export.** No person shall be permitted to sell, transport or export water from the overlying property to which the permit was issued for water well construction to assure that the use of well water shall only reasonably benefit the overlying land.

#### **13.20.110 Variances.**

The ~~enforcement officer~~ **County** shall have the power under the following specified conditions to grant a variance from any provision of the standard referenced above and to prescribe alternative requirements in their place.

(1) **Special Circumstances.** There must be, in a specific case, a special circumstance where practical difficulties or unnecessary hardship would result from the strict interpretation and enforcement of any standard.

(2) **Intent of Chapter Not Compromised.** The granting of such a variance is consistent with the purpose of this chapter. [Ord. 208 § 4, 1991.]

#### **13.20.120 Special ground water protection.**

The ~~enforcement officer~~ **County** may designate areas where ground water quality problems are known to exist and where a well will penetrate more than one aquifer. The ~~enforcement officer~~ **County** may require in these designated areas special well seal(s) to prevent mixing of water from several aquifers. Where an applicant proposes well construction, reconstruction, or destruction work in such an area, the ~~enforcement officer~~ **County** may require the applicant to provide a report prepared by a registered geologist or registered civil engineer (California Business and Professions Code Sections [7850](#) and [6762](#) respectively) that identifies all strata containing poor-quality water and recommends the location and specifications of the seal or seals needed to prevent the entrance of poor-quality water or its migration into other aquifers. [Ord. 208 § 5, 1991.]

#### **13.20.130 Inspections generally.**

The ~~enforcement officer~~ **County** shall make an inspection of the annular seal construction work. It may make an initial inspection of each proposed drilling site, an inspection at the completion

of the work, and inspections at such other times as it deems appropriate. [Ord. 208 § 6.01, 1991.]

#### **13.20.140 Initial inspection.**

Upon receipt of an application, the ~~enforcement officer~~ **County** may make an inspection of the drilling site prior to the issuance of a well permit. The purpose of this inspection is to determine whether there are any site conditions such that the ~~enforcement officer~~ **County** shall do the following:

- (1) Relocation of Drilling Site. Require relocation of the drilling site should the location shown on the permit application be too close to potential sources of pollution.
- (2) Additional Conditions. Set additional conditions if needed to remedy any previously unknown ground water quality protection problems. [Ord. 208 § 6.02, 1991.]

#### **13.20.150 Inspection of well seal.**

The ~~enforcement officer~~ **County** shall inspect the annular space grout depth prior to the sealing.

- (1) Required Notice. The ~~enforcement officer~~ **County** shall be notified by the well driller a minimum of 24 hours prior to sealing the annular space. Drillers who anticipate completing a well in less than one day shall notify the enforcement officer 24 hours prior to commencement of drilling and provide the anticipated time to commence the sealing of the annular space.
- (2) Should ~~enforcement officer~~ **County** Fail to Be Present. If the enforcement officer wishes to allow a seal to be tremied or placed without inspection, the driller shall seal the well in accordance with the standards of this chapter, and any permit conditions. No seal shall be tremied or placed until permission to proceed is given. [Ord. 208 § 6.03, 1991.]

#### **13.20.160 Final inspection.**

If requested by the ~~enforcement officer~~ **County**, the driller shall notify the ~~enforcement officer~~ **County** within seven days of the completion of their work at each drilling site. The ~~enforcement officer~~ **County** may make a final inspection after completion of the work to determine whether the well was completed in accordance with this chapter. [Ord. 208 § 6.04, 1991.]

#### **13.20.170 Waiver of inspections.**

The ~~enforcement officer~~ **County** may waive inspections should any of the following conditions exist:



(1) Well Inspected by Other Agencies. Inspections may be waived where the work will be inspected by the staff of the California Regional Water Quality Control Board or the California Department of Health Services if these designated agencies will inspect and report to the enforcement officer on all drilling features required by the standards.

(2) Monitoring Wells under Specified Conditions. Inspections may be waived for monitoring wells that will penetrate only aquifers containing degraded waters or will penetrate only formations that normally contain no water.

(3) Drilling Sites Known to Have No Threats to Ground Water Quality. Initial inspections may be waived when the drilling site is well known to the ~~enforcement officer~~ County and it is known that no significant threats to ground water quality exist in the area. [Ord. 208 § 6.05, 1991.]

#### **13.20.180 Completion reports.**

(1) The driller shall provide the ~~enforcement officer~~ County a completion report within 30 days of the completion of any well construction, reconstruction, or destruction job.

(2) Submittal of State Report of Completion. A copy of the report of completion (Water Well Driller's Report, Department of Water Resources Form 188) required by California Water Code Section [13751](#) shall be submitted by the permittee to the ~~enforcement officer~~ County within 30 days of construction, alteration, or destruction of any well. This report shall document that the work was completed in accordance with the standards and all additional permit conditions. This section shall not be deemed to release any person from the requirement to file said report with the State Department of Water Resources.

(3) Confidentiality of Report. In accordance with California Water Code Section [13752](#), reports shall not be made available for inspection by the public but shall be made available for inspection by governmental agencies for use in making studies. Reports shall be made available to any person who obtains written authorization from the owner of the well.

(4) Other Agencies' Requirements. Nothing in this chapter shall be deemed to excuse any person from compliance with the provisions of California Water Code Sections [13750](#) through [13755](#) relating to notices and reports of completion or any other Federal, State, or local reporting regulations. [Ord. 208 § 7, 1991.]

#### **13.20.190 Appeals.**

(1) Right of Hearing. Any person whose application for a permit has been denied, or granted conditionally, or whose permit has been suspended or revoked, or whose variance request has been denied, may appeal to the City Council, in writing, within 10 days after any such denial, conditional granting, suspension, or revocation. Such appeal shall specify the grounds upon which it is taken, and shall be accompanied by a filing fee as set forth by resolution. The City Clerk shall set such appeal for hearing at the earliest practicable time, and shall notify the

appellant and the enforcement officer, in writing, of the time so set at least five days prior to the hearing.

(2) Action by the City Council. After such hearing, the City Council may reverse or affirm, wholly or partly, or may modify the order or determination appealed from. Such action shall be final. [Ord. 208 § 8, 1991.]

#### **13.20.200 Right of entry and inspection.**

The ~~enforcement officer~~ **County** or representatives of the ~~enforcement officer~~ **City** shall have the right to enter upon any premises at all reasonable times to make inspections and tests for the purpose of such enforcement and administration. If any such premises are occupied, he or she shall first present proper credentials and demand entry. If the same is unoccupied, he or she shall first make a reasonable effort to locate the owner or other person having charge or control of same and demand entry. If such entry is refused, he or she shall have recourse to such remedies as are provided by law to secure entry. [Ord. 208 § 9, 1991.]

#### **13.20.210 Abatement of abandoned wells.**

All persons owning an abandoned well as defined in the well standards shall destroy it before December 31, 1991, except those excluded by California Health and Safety Code Section [24440](#). [Ord. 208 § 10, 1991.]

#### **13.20.220 Violation a misdemeanor.**

Any person who violates any of the provisions of this chapter is guilty of a misdemeanor, and upon conviction thereof is punishable by a fine of not more than \$500.00 or by imprisonment for a period of not more than six months, or by both such fine and imprisonment. [Ord. 208 § 11.01, 1991.]

#### **13.20.230 Civil enforcement – Notice of violation.**

(1) Notice of Violation Recordation. Whenever the ~~enforcement officer~~ **County or City** determines that a well (a) has not been completed in accordance with a well permit or the plans and specifications relating thereto; (b) has been constructed without the required permit; or (c) an abandoned well has not been destroyed in accordance with the standards, the ~~enforcement officer~~ **County or City** may record a notice of violation with the office of the County Recorder. The owner(s) of the property, as revealed by the assessment roll, on which the violation is situated and any other person responsible for the violation shall be notified of the recordation, if their address is available.

If the property owner(s) or authorized agent disagrees with the determination, he or she may submit evidence to the enforcement officer indicating that there is no violation and then shall



have a right to appeal an adverse decision of the ~~enforcement officer~~ County to the City Council in accordance with the provisions of subsection (2) of this section.

(2) Appeal – Action by the City Council.

(a) Date of Hearing. Upon receipt of the notice of appeal, the City Council shall within 15 days following the filing of the appeal set a date for public hearing thereon.

(b) Evidence. The evidence before the City Council shall consist of the records in the ~~enforcement officer's~~ County files and any other relevant evidence which in the judgment of the City Council should be considered to effectuate and implement the policies of this chapter.

(c) Decision by City Council. The City Council may reverse or affirm, wholly or in part, or modify the decision or the notice of violation and may make such order as should be made. Such action shall be final.

(3) Removal of Violation Notice. The ~~enforcement officer~~ County or City shall submit a removal of notice of violation to the County Recorder when (a) it is determined by the enforcement officer or the City Council, after review, that no violation of this chapter exists; or (b) all required and corrective work has been completed and approved by the ~~enforcement officer~~ County. [Ord. 208 § 11.02, 1991.]

**13.20.240 Civil enforcement – Nuisance.**

Violations of this chapter may also be redressed in the manner hereinafter set forth by civil action. In addition to being subject to prosecution, any person who violates any of the provisions of this chapter may be made the subject of a civil action. Appropriate civil action includes, but is not limited to, injunctive relief and cost recovery. [Ord. 208 § 11.03, 1991.]

**13.20.250 Remedies cumulative.**

The remedies available to the City Council to enforce this chapter are in addition to any other remedies available under ordinance or statute, and do not replace or supplant any other remedy but are cumulative thereto. [Ord. 208 § 11.04, 1991.]

**13.20.260 Reports to regional board.**

Pursuant to California Water Code Section 13225(c), the ~~enforcement officer~~ County shall submit a report, not less than annually, to the California Regional Water Quality Control Board(s) having jurisdiction in their area. This report shall contain the following data, unless the regional board determines a lesser amount of information is necessary:

(1) Wells Constructed or Destroyed. The number of wells constructed or destroyed.

(2) Abatement Actions. Descriptions of all well destructions undertaken by the enforcement officer using its regulatory authority under nuisance abatement powers.

(3) Variances Granted. A description of each specific case where variances were granted and the circumstances that made a variance necessary.

(4) Inspection Waivers Granted. A description of each specific case where an inspection was waived and the circumstances that made the waiver necessary. [Ord. 208 § 12, 1991.]

## **Section 2. Severability**

If any provision of the ordinance is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in full force and effect.

## **Section 3. Limitation of Actions**

Any action to challenge the validity or legality of any provision of this ordinance on any grounds shall be brought by court action commenced within ninety (90) days of the date of adoption of this ordinance.

## **Section 4. Effective Date**

This ordinance becomes effective thirty (30) days after its approval and adoption.

**I HEREBY CERTIFY** that the forgoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Rio Dell on September 17, 2024, and furthermore the forgoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on October 1, 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Debra Garnes, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Ordinance No. 407-2024 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on October 1, 2024.

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Karen Dunham, City Clerk, City of Rio Dell