

# Village of McLean

## Ordinance#

**18-10-01**

**An Ordinance Prohibiting the Use of Groundwater as Potable Water Supply by the Installation or Use of Potable Water Supply Wells or By Any Other Method**

Adopted by the Village Board  
Of the  
Village of McLean

**Published in pamphlet form by authority of the Village of McLean, McLean**

County, Illinois this 2nd day of **October, 2018**.

ORDINANCE NO. 18-10-01

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 Village of McLean, McLean County, 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 Village may exceed Class 1 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 Village 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 President and Board of Trustees of the Village of McLean, McLean County, Illinois:

Section 1: The use or attempted use of groundwater as a potable water supply by the installation or drilling of wells or by any other method, including at points of withdrawal by the Village of McLean, is hereby prohibited for the properties identified by the following parcel identification numbers, and a portion of the South Main Street right of way, as shown on Exhibit "A", which is attached hereto and incorporated herein by reference.

Parcel 33-02-276-004 and 33-02-226-006

Section 2: Any person violating the provisions of this ordinance shall be subject to a fine of not less than \$200.00 or more than \$750.00 for each violation. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 3: "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 4: All ordinances or parts or ordinances in conflict with this ordinance, are hereby repealed insofar as they are in conflict with this ordinance.

Section 5: 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 6: This ordinance shall be in full force and effect 10 days after it is published in pamphlet form.

PASSED in due form on a roll call vote by the Board of Trustees of the Village of McLean at a duly held meeting on the 15<sup>th</sup> day of October, 2018:

APPROVED:



Aaron Hammel, Acting President of the  
Board of Trustees of the Village of McLean

ATTEST:



Sharon Leipold, Village Clerk

AYES: 4

NAYS: ~~3~~

ABSENT: 2

Description of the Proposed Groundwater Use Restriction Area

The groundwater use restriction area is proposed for the following properties identified by the following Parcel Identification Numbers and within a portion of the South Main Street right-of-way, and is shown on the attached maps:

Parcel 33-02-276-004

SEC 2-21-1W ELAS SUB PT LOT 2 (EX N691.5' E453.75') & PT NW LYG S OF RR & N OF I-55

Parcel 33-02-226-006

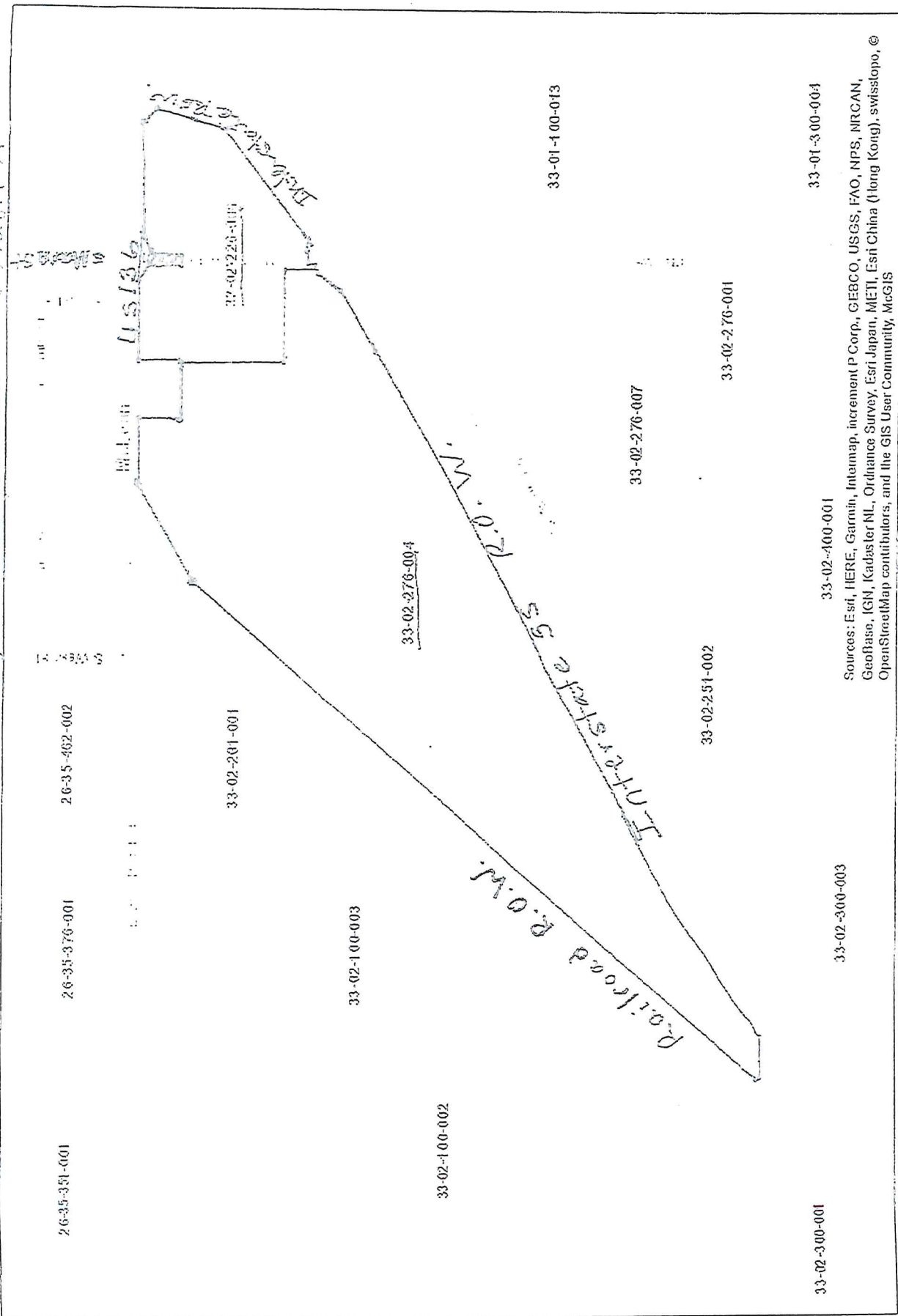
SEC 2-21-1W COM 453.75'W & 30'S NE COR SEC 2-21-1W: E369.55', SE108.61', S197.52', E18.05', NE192.5', NE76', E540', SE63.1', SW327', SW235.53', SW394.81', NW83.15', W25.62', S TO S LN VAC MAIN ST AS IN ORD 13-01-07A, W30', N132.74', W428.1', N661.15' TO POB

EXHIBIT "A" continued

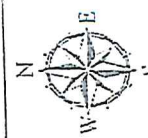
8/16/2018

# McLean County GIS Consortium

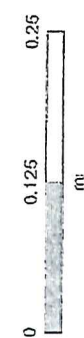
Worksheet A



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geofbase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, © OpenStreetMap contributors, and the GIS User Community, McGIS



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STATE OF ILLINOIS )

) SS

COUNTY OF MCLEAN )

**PUBLICATION CERTIFICATE**

I, the undersigned Village Clerk, certify that I am the duly elected and acting Village Clerk of the Village of McLean, McLean County, Illinois.

I further certify that on **Monday, October 1, 2018**, the Board of Trustees of such municipality passed and approved **Ordinance No. 18-10-01**, entitled:

**An Ordinance Prohibiting the Use of Groundwater as Potable Water Supply by the Installation or Use of Potable Water Supply Wells or By Any Other Method**

Board of Trustees of the Village of McLean previously adopted a Resolution that authorized all Village Ordinances to be published in pamphlet form.

The pamphlet form of Ordinance No. **18-10-01**, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on October 2, **2018** and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Village Clerk.

Dated at McLean, Illinois, this 12<sup>th</sup> day of **October, 2018**.

  
Village Clerk

(SEAL)