

**ENVIRONMENTAL/SANITATION  
CODE OF  
JEFFERSON COUNTY, KANSAS**

**CHAPTER III: WATER SUPPLIES**

**SECTION 3-1.0 PURPOSE AND INTENT:** The provisions of this Code are for the purpose of regulating and controlling the development, maintenance, and use of all water supplies used for human consumption other than public supplies in the unincorporated areas of Jefferson County, Kansas, in order that public health will be protected and the contamination and pollution of the water resources of the County will be prevented. Chapter III adheres to the definitions and administrative procedures as stated in Chapter I.

**SECTION 3-2.0 COMPLIANCE REQUIRED:** After effective the date of this Code, no person shall construct on any property subject to this Code, any semi-public, or private water supply that does not comply with the stated requirements.

**SECTION 3-3.0 WATER SUPPLY REQUIRED:** Owners of private homes that are used as a principle residence, and all rented or leased homes, shall furnish at least one convenient outlet supplying an adequate quantity of potable water. Owners of other permanent establishments shall furnish an adequate supply of safe water for the clientele.

**SECTION 3-4.0 PROHIBITIONS:** No connection between a water supply and a source of contamination or pollution shall be allowed. Due to the potential for contamination of water supplies, no person shall utilize a hose, pipe, pump or other similar link to a domestic well to fill a stock tank, sink, pool, or pesticide container without using a device for the prevention of back siphonage or backflow.

**SECTION 3-5.0 REQUIREMENTS FOR PRIVATE WATER SUPPLIES:**

**3-5.1 PERMIT:** No person construct, or reconstruct a water well for private or semi-public water supply on any premises subject to the regulations of this code until they have obtained a permit thereof from the Administrative Agency.

**3-5.2 APPROVED PLANS:** No permit to construct or develop a water well supply for private or semi-public water supply on premises subject to the regulations of this code shall be issued until the plan showing the location and construction of the supply has been approved by the Administrative Agency.

**3-5.3 USE LIMITATION:**

- a. Before a permit will be issued for construction or reconstruction of a water well for private or semi-public water supply purposes, the administrative agency will assess for compliance with State Article 12 (K.S.A. 82a-1201, et seq.) and Article 30 (K.A.R.28-30-2 through 28-30-10) for protection of ground water; and if the water supply to be accessed, constitutes a significant quantified health risk.
- b. No use of surface water (lakes, ponds, or streams) as a source of water for private water supply shall be permitted:
  1. Where a satisfactory ground water source is available;
  2. Where adequate treatment is not provided. (In no case shall surface water be used without filtration and chlorination); and
  3. Where the pond or lake receives any drainage or discharge from septic tanks, or sewage treatment plants.

**3-5.4 REQUIRED FORMS:** The licensed water well contractor or landowner shall provide a completed KDHE water well record (Form WWC-5) or water well plugging record (Form WWC-5P) to KDHE within 30 days after construction, reconstruction, or plugging of a water well in accordance with KDHE requirements in Article 30 (K.A.R. 28-30-4(a)). A photocopy of the Form WWC-5 shall be provided to the Administrative

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Agency within 30 days after construction or reconstruction of a water well to be used for private, semi-public, or public water supply.”

**SECTION 3-6.0 REQUIREMENTS FOR PUBLIC WATER SUPPLIES:**

- 3-6.1 STATE PERMIT:** No person shall operate a public water supply without obtaining a permit from KDHE.
- 3-6.2 STATE APPROVED PLANS:** No person shall construct any public water supply on any property subject to the provisions of this code until the plans and specifications have been submitted to and approved by KDHE. A copy of the plans and specifications shall be made available to the Administrative Agency by the person/s initiating the project.

**SECTION 3-7.0 REQUIREMENTS FOR SEMI-PUBLIC WATER SUPPLIES:**

- 3-7.1 REQUIREMENTS:** No person shall operate or maintain a semi-public water supply system that has been:
- a. Constructed or reconstructed after adoption of this code, until it has been inspected and a permit issued by the Administrative Agency.
  - b. Temporarily or permanently enjoined as a public health nuisance by a court of competent jurisdiction.
  - c. Found by the Administrative Agency not to comply with the provisions of this code and a written notice thereof has been given to the owner or his/her agent.
- 3-7.2 USE OF A SEMI-PUBLIC WATER SUPPLY:** In addition to the requirements of 3-5.0 which pertain to private water wells, the following shall be done and reviewed by the Administrative Agency prior to the issuance of a permit, to assure water quality for the public:
- a. An initial, and at least annual Bacterial Analysis.
  - b. A partial Chemical Analysis is to be done initially and every three (3) years thereafter.
  - c. Other tests such as a screen for pesticides, volatile organic chemicals, and heavy metals may be required, at the direction of the Administrative Agency, to protect the public’s health.
  - d. The water samples shall be collected by the Administrative Agency or its designee and sent to a state certified laboratory for analysis. The fee for the analysis and investigation is the responsibility of the owner of the water supply or their representative.

**SECTION 3-8.0 MINIMUM STANDARDS FOR ALL GROUND WATER SUPPLIES:** The standards set forth in Article 12 (K.S.A. 82a-1201, et seq. as amended) and Article 30 (K.A.R. 28-30-2 through K.A.R. 28-30-10) shall be met.

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**3-8.1 LOCATION:** The horizontal distance between the well and the potential sources of pollution or contamination, such as: sewer lines, pressure sewer lines, sewer lines that are cast iron plastic or other water tight materials, pump pit, septic tanks, lateral fields, pit privy, seepage pits, fuel or fertilizer storage, pesticide storage, feed lots or barnyards shall be in keeping with *MINIMUM SEPARATION DISTANCES FROM PRIVATE WELLS* of the *Environmental Health Handbook* and shall be consistent with standards approved by the Kansas Department of Health and Environment. Such distances may be increased by the Administrative Agency to provide assurance that the well will not be contaminated.

<b>Minimum and Recommended Separation Distances from Private Wells</b>		
	<u>Potential Source of Pollution Separation Distances (in feet)</u>	
	Minimum Required <sup>1</sup>	Recommended <sup>2</sup>
Sealed sewer line (cast iron, tight line, etc.)	10	50
Unsealed sewer lines	50	> 400
Septic tanks (watertight)	50	> 100
Lateral lines and septic absorption field	50	> 400
Pit privies	50	> 400
Stables, livestock pens, lagoons and manure piles	50	> 400
Streams, lakes and ponds	50	> 100
Fertilizer and fuel storage (above or below ground)	50	> 400
Seepage pits (prohibited after May 1996)	50	> 400
All other wastewater systems	50	> 100
Property line	25	> 50
Public water supply sources (i. e., wells) <sup>3</sup>	100	> 100
Building/structure (termite treatment) <sup>4</sup>	50	> 100
Pesticide storage, mixing and disposal repeated use areas	50	> 400

<sup>1</sup> Required by K.A.R. 28-30-8.

<sup>2</sup> Separation distances that help assure more adequate protection from contaminants other than bacteria.

<sup>3</sup> From Policies, General Consideration and Design Requirements for Public Water Supply Systems in Kansas.

<sup>4</sup> Required when injecting liquid pesticide, see manufacturers label. These distances do not assure contamination will not reach well.

Source: KDHE Environmental Health Handbook, Chapter 1: Private Water Wells

**3-8.2 PRIVATE AND SEMI-PUBLIC WATER WELL CONSTRUCTION:** The enforcement of this section of the code shall be in accordance with Article 12 (K.S.A. 82a-1201, et seq.as amended), and Article 30 (K.A.R. 28-30-2 through K.A.R. 28-30-10). Recommended standards for design, construction and location, shall be consistent with KDHE standards in Article 30.

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- 3-8.3 PLUGGING OF ABANDONED WELLS, CASED AND UNCASSED TEST HOLES:** All water wells abandoned by the landowner on or after July 1, 1979, and all water wells that were abandoned prior to July 1, 1979 which pose a threat to groundwater supplies, shall be plugged or caused to be plugged by the landowner. This shall be done in accordance with KDHE standards in Article 30 (K.A.R. 28-30-7 as amended).
- 3-8.4 ABANDONED WATER WELL PLUGGING:** Any abandoned water well shall be plugged in accordance with KDHE standards in Article 30 (K.A.R 28-30-7 as amended).
- 3-8.5 WATERWELL DISINFECTION FOR WELLS CONSTRUCTED OR RECONSTRUCTED FOR HUMAN CONSUMPTION OR FOOD PROCESSING:** Disinfection shall be done in accordance with KDHE standards set forth in Article 30 (K.A.R 28-30-10, as amended), and shall apply to all water wells used for human consumption or food processing.

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