

CITY OF MARSHALL

ORDINANCE NO. 2008-O- 11

AN ORDINANCE ESTABLISHING
MINIMUM AND MAXIMUM SETBACK ZONES

ADOPTED BY THE
CITY COUNCIL
OF THE
CITY OF MARSHALL

Published in pamphlet form by authority of the City of Marshall, Clark County, Illinois, this 9th
day of June, 2008.

ORDINANCE NO. 2008-O-_____

AN ORDINANCE ESTABLISHING
MINIMUM AND MAXIMUM SETBACK ZONES

BE IT ORDAINED by the City Council of the City of Marshall, Illinois:

Section 1. That section 54-36 of the Code of Ordinances, City of Marshall, Illinois is hereby amended to read as follows, with strikeouts indicating deletions in text and underscores indicating additions to text:

Sec. 54-36. Definitions.

Except as stated in this section, and unless a different meaning of a word or term is clear from the context, the definition of words or terms in this division shall be the same as those used in the Environmental Protection Act and the Illinois Groundwater Protection Act (415 ILCS 55/1 et seq.):

Act means the Environmental Protection Act (415 ILCS 5/1 et seq.).

Agency means the state environmental protection agency.

Board means the state pollution control board.

Maximum setback zone means the area around a community water supply well established under section 14.3 of the act (415 ILCS 5/14.3) and this division, and shown on Exhibit A to this division described in appendix A attached to Ordinance No. 90-30 and made a part of this division by reference.

Minimum setback zone means the area around a community water supply well established under section 14.2 of the act (415 ILCS 5/14.2) and this division, and shown on Exhibit A to this division described in appendix A attached to Ordinance No. 90-30 and made a part of this division by reference.

Section 2. That section 54-38 of the Code of Ordinances, City of Marshall, Illinois is hereby amended to read as follows, with strikeouts indicating deletions in text and underscores indicating additions to text:

Sec. 54-38. Prohibitions.

(a) Except as provided in section 54-39 or 54-40, no person shall place a new potential primary source, new potential secondary source, or new potential route within the minimum setback zone of 400 feet of well nos. 2, 3, and 4, 5 and 6 (IEPA well nos. 45154, 45155, and 45156, 01745 and 01746) as shown on exhibit A to this division attached to Ordinance No. 90-30 and made a part of this division by reference, and located in the south half southwest quarter of Section 8, Township

11 North, Range 11 West, Clark County, Illinois.

(b) Except as provided in section 54-39, no person shall place a new potential primary source within the maximum setback zone of 1,000 feet of well nos. 2, 3, ~~and 4, 5 and 6~~ (IEPA well nos. 45154, 45155, ~~and 45156, 01745 and 01746~~), as shown on exhibit A ~~to this division attached to Ordinance No. 90-30 and made a part of this division by reference~~, and located in the south half southwest quarter of Section 8, Township 11 North, Range 11 West, Clark County, Illinois.

Section 3. That Division 2 of Article II of Chapter 54 of the Code of Ordinances, City of Marshall, Illinois is hereby amended is hereby amended by adding Exhibit A, which Exhibit A is attached as Exhibit A to this Ordinance.

Section 4. If any provision of this Ordinance, or application thereof, is held invalid by any Court, other provisions or applications of this Ordinance which can be given effect without the invalid provision or application shall not be affected, and to this end the provisions of this Ordinance are declared to be severable.

Section 5. That this Ordinance shall be published in pamphlet form and shall take effect ten (10) days after its passage, approval and publication in pamphlet form as provided by law.

	<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>
James C. Anderson	✓		
Terry Clatfelter	✓		
James McKittrick	✓		
Cheryl A. Raisner	✓		
Tim J. Sanders	✓		
Mark R. Strait	✓		
James White	✓		
(one seat vacant) Randall McQuinn	✓		

PASSED this 9th day of June, 2008.

APPROVED this 9th day of June, 2008.

Kenneth R. Smith
MAYOR

ATTESTED, filed in my office,
and published in pamphlet form
this _____ day of June, 2008.



CITY CLERK

(SEAL)

