



To: Mayor Tilghman  
John Pick ✓  
Paul Wilber  
John Jacobs  
John Cawley

From: William T. Holland *WTH*  
Date: January 20, 2005  
Subj: Industrial Wells - Sharp Water

Sharp Water, Inc. is moving their water treatment business from Naylor Mill Road to 129 Columbia Road and has renovated an existing facility to accommodate their business needs. During the renovation process, Sharp Water secured a well permit through the Wicomico County Environmental Health Department. The purpose for the well is for industrial cleaning of resins in water treatment tanks. This process does not require the city's high quality treated water.

On Friday, January 14, 2005, I was made aware of the well installed at the Columbia Road property. It was also brought to my attention that Section 13.20.070 of the City Code requires that the City Council approve the use or replacement of existing wells for industrial purposes. Additionally, there is no language in the code permitting the City Council to approve new wells for industrial uses. Wells are permitted for the following purposes:

- A. Individual water systems shall be permitted for outside irrigation purposes and refrigeration cooling purposes and the filling of swimming pools and for no other purposes, with the following exceptions:
  1. Private wells equipped with hand pumps installed in atomic fall-out shelters;
  2. Pumps installed and tapped to surface water used for irrigation and sprinkling systems.

The Code continues to say that the approving authority for individual water systems shall be the Director of the Department of Building, Housing and Zoning. I questioned Charlie Kruger, who has been the City's Plumbing Inspector for past twenty five years if he recalls if the city had ever issued or approved well permits. According to Mr. Kruger, all well permits within city limits have been approved through the Wicomico County Health Department since his tenure with the city, and permitted through the county as far back as the 1950's.

On Tuesday, January 18, 2005, I discussed this situation with Paul Wilber on what direction I should take in resolving this issue so that everything is done according to the City Code. Paul advised me that Section 13.20.070 of the City Code should be amended to allow the City to approve new wells for industrial purposes. The well is metered so the city can properly bill sewer charges. The physical connection between the private well and the public water distribution system must have a physical disconnect accomplished by an approved "swing joint" inspected and approved by Mr. Kruger. As an additional precaution, an approved reduced pressure zone backflow preventer should also be installed downstream of the city water meter on

private property.

For the Mayor and City Council's information, there are other industrial wells which exist within the city limits, they are located at the old Campbell Soup Company, Messick Ice Plant and Peninsula Regional Medical Center. Since the Messick Ice Plant has been recently demolished, that particular well will most likely be abandoned.

**CITY OF SALISBURY  
ORDINANCE NO. 1929**

AN ORDINANCE of the Mayor and the City Council of the City of Salisbury amending Chapter 13.20 - Private Water Systems to permit the approval of new wells for industrial purposes by the Director of Public Works and the Director of Building, Housing and Zoning.

WHEREAS, the City of Salisbury has determined that, in appropriate cases, new wells may be approved for industrial purposes; and

WHEREAS, the City of Salisbury has decided to require the approval of the Director of Public Works and the Director of Building, Housing and Zoning before permitting a new industrial well.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, that Chapter 13.20 - Private Water Systems, be amended to read as follows:

**Section 13.20.020 Applicability of provisions - Uses - Inspections -  
Application procedure and fee.**

A. The requirements of these regulations shall apply to both new and old individual water supplies and to replacement of or additions to existing systems in all areas now or hereafter served by the city's water system.

B. Building and water system contractors, plumbers, well diggers and well drillers making installations of water supply systems shall be jointly responsible for compliance with these regulations with any person for whom such installation(s) is (are) being made.

C. Individual water supply systems shall be permitted for outside irrigation purposes and refrigeration cooling purposes and the filling of swimming pools and for no other purposes, with the following exceptions:

1. Private wells equipped with hand pumps installed in atomic fall-out shelters;

2. Pumps installed and tapped to surface water used for irrigation and sprinkling systems.

D. The approving authority for individual water systems shall be the Director of the Department of Building, Housing and Zoning and the Director of the Department of Public Works.

E. The approving authority or his authorized agent may make inspections during construction to determine compliance with these regulations. No part of any installation shall be covered until inspected and approved by the approving authority. Any part of the installation which has been covered prior to final approval shall be uncovered upon order of the approving authority.

F. Any person contemplating the construction of a private well for domestic use, outside irrigation purposes, refrigeration cooling purposes or the filling of swimming pools shall, previous to the beginning of any construction, make a formal application. The permit fee shall be twenty-five dollars (\$25.00) for each well. Application for such permit, except wells referred to in subsection (C) of this section, shall be in a form provided by the bureau of inspections. Whenever, in the opinion of the director of the Department of Building, Housing and Zoning, complete plans and specifications are needed to show

definitely the desired installation for which the application is made, the applicant shall furnish duplicate. If approved, one set shall be returned to the applicant marked approved, and one set shall be retained and filed as a permanent record in the Office of the Department of Building, Housing and Zoning. (Prior code § 132-42)

**Section 13.20.070 Use of private wells for industrial purposes.**

A. ~~Notwithstanding any of the provisions of this chapter, the County permit for use or replacement of existing private wells for industrial purposes, or the County permit for the installation of a new well for industrial purposes, may be permitted only upon specific prior approval shall be approved by the Director of the Department of Building, Housing and Zoning and the Director of the Department of Public Works. City Council after formal application thereto and hearing thereon at one or more regular meetings of the Council. Such Council approval shall be evidenced by a resolution adoption by the Council and spread upon its minutes. Such resolution shall set forth in precise terms~~ The permit from Wicomico County shall state the exact size, location, depth, use or uses and all other pertinent details with respect to the particular private well approved.

B. ~~It shall be the intent of this section to permit the use of an existing well or to replace an existing well with one of equal depth, size and capacity but not to permit increased well capacity,; except for uses permitted by this section. In the sole discretion, such resolution also may specify initial permit fees and annual permit renewal fees greater than those provided in Section 13.20.020, but such fees in no event shall exceed five times the amounts specified in such section.~~

C. If the private well for industrial use creates sewer flows, then the private well shall be metered . (Prior code § 132-47)

AND BE IT FURTHER ENACTED AND ORDAINED by the Council of the City of Salisbury, Maryland, that this Ordinance shall take effect from and after the date of its final passage.

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on the \_\_\_\_ day of \_\_\_\_\_, 2005, and thereafter, a statement of the substance of the ordinance having been published as required by law, in the meantime, was finally passed by the Council on the \_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
Brenda J. Colegrove, City Clerk

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Michael P. Dunn,  
President of the Council of  
the City of Salisbury

Approved by me, this \_\_\_\_\_  
day of \_\_\_\_\_, 2005.

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Barrie P. Tilghman,  
Mayor of the City of Salisbury