

GENERAL ORDINANCE NO. 2, 1972

Food Establishment Ordinance

WHEREAS, the Board of County Commissioners of Hendricks County, deems it advisable for the promotion of public health to establish health and sanitary regulations for (1) food service establishments, (2) retail food markets, and (3) vending of foods and beverages.

BE IT ORDAINED by the Board of County Commissioners of Hendricks County that the provisions of this ordinance are effective within Hendricks County and that the Hendricks County Board of Health is hereby empowered to enforce the provisions of this ordinance.

SECTION I. DEFINITIONS

The definitions as stated in the Indiana State Board of Health Regulations HFD 17 (Food Service Establishments) HFD 19 (Retail Food Markets) HFD 21 (Vending for Foods and Beverages) shall be used to enforce the Food Establishment Ordinance. At least two copies of the Indiana State Board of Health Regulations HFD 17, 19 and 21 shall be on file in the County Auditor's Office.

HENDRICKS COUNTY -- The term "Hendricks County" shall mean those rural and urban areas which are under the jurisdiction of the Hendricks County Health Officer.

HEALTH OFFICER -- The term "Health Officer" shall mean the Hendricks County Health Officer or his duly authorized representative.

SECTION II. PERMITS

A. Permits -- It shall be unlawful for any person to operate a food establishment in Hendricks County, who does not possess a valid permit from the Health Officer. Only persons who comply with the applicable requirements of this ordinance shall be entitled to receive and retain such a permit. The permit shall be for a term of one year beginning January 1st and expiring December 31st of the same year and shall be renewed annually.

1. A separate permit shall be required for each food establishment operated or to be operated by any person.
2. A permit issued under this ordinance is not transferable.
3. A permit is required for an operator of vending machines.
4. No permit or renewal thereof shall be denied or revoked on arbitrary or capricious grounds.

B. Temporary Permit for Temporary Food Service Establishment

A temporary permit shall be required for all temporary food service establishments operated by all religious, education, social, charitable, fair, carnival, circus, public exhibition, or similar transitory organizations. Such temporary permits shall be for a temporary period of time, not to exceed two (2) weeks.

C. No fee shall be collected when issuing said permits under this food establishment ordinance.

SECTION III. MINIMUM SANITATION REQUIREMENTS FOR FOOD ESTABLISHMENTS

All food establishments, whether operating under a standard permit or a temporary permit shall comply with the minimum sanitation requirements specified by the Indiana State Board of Health as now provided in Regulations HFD 17, 19 and 21 or as the same may be hereafter changed or amended. Such regulations promulgated are by reference incorporated herein and made part hereof, two copies of which are on file in the office of the Auditor of Hendricks County, Indiana, for public inspection.

SECTION IV. INSPECTION OF FOOD ESTABLISHMENTS

Frequency of Inspection -- The Health Officer shall inspect each food establishment for which a permit is required under the provisions of this ordinance at least once each year.

SECTION V. APPROVAL OF PLANS

All food establishments which are hereafter constructed or altered shall conform with the applicable requirements set forth in Section III of this ordinance. Properly prepared plans and specifications shall be submitted to and approved by the Health Officer as may be required before starting any work.

SECTION VI. DISEASE CONTROL

No person shall be permitted to work in a food establishment who does not meet the health requirements specified by the Indiana State Board of Health as provided in Regulations HFD 17, 19 and 21.

SECTION VII. UNCONSTITUTIONALITY CLAUSE

Should any section, paragraph, sentence, clause, or phrase of this ordinance be declared unconstitutional, or invalid for any reason the remainder of said ordinance shall not be affected thereby.

SECTION VIII. REPEAL AND DATE OF EFFECT

A. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed, and this ordinance shall be in full force and effect from and after its passage, approval by the Commissioners and publication as required by law.

B. Passed and adopted by the Commissioners of Hendricks County, State of Indiana, on this 7th day of February, 1972.

Howard Gable
Russell Thompson
Arthur Hines
Commissioners of Hendricks
County

Mary Jane Weathers
Auditor

GENERAL ORDINANCE NO. 3, 1972

AN ORDINANCE regulating the installation, construction, and maintenance of wells and pumps, fixing penalties for violations thereof; and fixing a time when the same shall take effect.

WHEREAS, the Board of County Commissioners of Hendricks County deems it advisable for the promotion of public health to establish health and sanitary regulations for the installation, construction, and maintenance of wells in Hendricks County, Indiana.

BE IT ORDAINED by the Board of County Commissions of Hendricks County that the provisions of this ordinance are effective within Hendricks County and that the Hendricks County Board of Health is hereby empowered to enforce the provisions of this ordinance.

SECTION 1, DEFINITIONS. Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

- 1.1 A WELL is any excavation, whether drilled, bored, driven, jetted, or dug for the purpose of obtaining water from the ground or returning water to the ground or for the purpose of testing the quantity or quality of such water.
- 1.2 GROUND WATER is any water in natural state below the surface of the ground.
- 1.3 THE WATER TABLE is the top surface, or upper limit, of the ground water zone.
- 1.4 WELL DRILLING is any operation which produces a well.
- 1.5 A WELL DRILLER is any individual, partnership, firm or corporation that produces, or contracts to construct a well.
- 1.6 A WELL OWNER is the legal owner of the real estate containing the well site.
- 1.7 POLLUTION means such contamination or other alteration of the physical, chemical or biological properties of water as to render such water harmful or detrimental or injurious to public health or safety.
- 1.8 POTABLE WATER is water suitable for drinking or culinary purposes.
- 1.9 CASING is steel or wrought iron pipe, type K copper, or other material approved by the health officer, to exclude unwanted solids or liquids from the interior of the well.
- 1.10 TUBING is metal, fiber or plastic pipe, used to withdraw water from a well. A jet type pump may require two strings of tubing.
- 1.11 AQUIFER is a water-bearing formation or stratum.
- 1.12 CEMENT GROUT means a thorough mixture consisting of one bag of Portland cement (94 lbs) with five (5) or six (6) gallons of clean water. When such mixture cannot be placed effectively, additives may be used provided shrinkage is held to a minimum and the mixture will form a water-tight seal throughout the entire depth required to prevent objectionable waters from entering the hole.

- 1.13 PUMP INSTALLER is any individual, partnership, firm or corporation that installs a pump in a well or opens the well to service a pump.
- 1.14 FLUSHING means the act of causing a rapid flow of water from a well by pumping, bailing or similar operation.
- 1.15 STUFFING BOX means an approved receptable in which packing may be compressed to form a water-tight or air-tight junction between two objects.
- 1.16 WELL SEAL means an approved removable arrangement or device used to cap a well or to establish and maintain a water-tight junction between the casing or curbing of a well and the piping or equipment installed therein, so as to prevent unwanted water, or other contaminating material, from entering the well at the upper terminal.
- 1.17 WELL VENT means an opening or outlet at the upper end of the well casing to allow equalization of air pressure in the well.
- 1.18 YIELD means the quantity of water per unit of time, which may flow or be pumped from a well, when water level has remained stabilized for one (1) hour or longer.
- 1.19 PRIVATE WATER SUPPLY means one or more sources of ground water, including facilities for conveyance thereof, such as wells, springs, and pumps, other than those serving a municipality or those operating as a public utility under the rules of the Indiana Public Service Commission.
- 1.20 RESIDENTIAL WELL shall mean any well drilled for the use of one or two dwelling units.
- 1.21 NON-RESIDENTIAL WELL shall mean any well drilled for more than two residential units or for use other than residential use or for wells drilled for a combination of use involving residential and non-residential use.
- 1.22 PERSON shall mean any individual, firm, corporation or partnership.
- 1.23 HEALTH OFFICER shall mean the health officer of Hendricks County, Indiana, or his authorized representative.

SECTION 2. PERMITS AND INSPECTION

- 2.1 Before commencement of construction of a well, a well driller shall obtain a written permit signed by the Health Officer, and the permit shall be posted in a conspicuous place on the premises prior to the commencement of work thereunder. No person shall perform any work on such project until such permit is obtained and posted on the premises. The application for such permit shall be made on a form provided by the health officer of Hendricks County Indiana, which applicant shall supplement by any plans, specifications and other information as deemed necessary by the Health Officer. Such permit shall be void if the installation is not completed in one year. In emergency situations, the well driller may drill the well prior to obtaining his permit but the water from such well shall not be used for human consumption until the application for the permit has been filed, permit secured, and well inspected and approved. In such emergency situations, the applicant for the well permit shall notify the health officer by telephone of the pending well installation prior to such installation. The well permit shall be obtained within 24 hours of the regular scheduled work day after the start of the emergency installation.

undersidable water during the expected life of the well. Minimum thicknesses are given in Table I, II and III. Thicker wall pipe should be used where corrosive waters are likely to be encountered or where needed for structural stability. Other casing material may be used when approved by the Health Officer.

TABLE I
MINIMUM STANDARDS OF DIMENSIONS AND WEIGHTS
STANDARD LINE PIPE¹

Nominal	Diameters		Wall	Weights In	
Size in	In Inches		Thicknesses	Pounds Per Foot	
Inches	External	Internal	In Inches	Plain Ends	T.&C.
2	2.375	2.067	0.154	3.56	3.71
2 ½	2.875	2.469	0.203	5.79	5.88
3	3.500	3.068	0.216	7.58	7.67
3 ½	4.000	3.548	0.226	9.11	9.27
4	4.500	4.026	0.237	10.79	11.01
5	5.563	5.047	0.258	14.62	14.90
6	6.625	6.065	0.280	18.97	19.33
8	8.625	8.071	0.277	24.70	25.44
10	10.750	10.192	0.279	31.20	32.20
12	12.750	12.090	0.330	43.77	45.40
14 OD	14.000	13.250	0.375	54.57	55.80
16 OD	16.000	15.250	0.375	62.58	64.08
18 OD	18.000	17.250	0.375	70.59	72.37
20 OD	20.000	19.250	0.375	78.60	80.70

¹These wall thicknesses in Standard Line Pipe may be threaded and coupled or welded.

TABLE II
MINIMUM STANDARDS OF DIMENSIONS AND WEIGHTS
STANDARD PIPE AND LINE PIPE²

Nominal	Diameters		Wall	Weights In	
Size in	In Inches		Thicknesses	Pounds Per Foot	
Inches	External	Internal	In Inches	Plain Ends Only	
4	4.500	4.188	0.156	7.25	
5	5.563	5.187	0.188	10.76	
6	6.625	6.249	0.188	12.89	
8	8.625	8.249	0.188	16.90	
10	10.750	10.374	0.188	21.15	
12	12.750	12.250	0.250	33.38	
14 OD	14.000	13.438	0.281	41.21	
16 OD	16.000	15.438	0.281	47.22	
18 OD	18.000	17.438	0.281	53.22	
20 OD	20.000	19.438	0.281	59.23	

²This lighter weight pipe, meeting ASTM Standards A-53 or A-120 and API Standard API-5L, is suitable for welding only.

TABLE III
MINIMUM STANDARDS OF DIMENSIONS AND WEIGHTS
STANDARD API CASING³

Nominal	Diameters		Wall	Weights In	
Size in	In Inches		Thicknesses	Pounds Per Foot	
Inches	External	Internal	In Inches	Plain Ends	T.&C.
4½	4.500	4.090	0.205	9.40	9.50
5	5.000	4.560	0.220	11.23	11.50
5½	5.500	5.044	0.228	12.84	13.00
6	6.000	5.524	0.238	14.65	15.00
6 5/8	6.625	6.135	0.245	16.69	17.00
7	7.000	6.538	0.231	16.70	17.00
7 5/8	7.625	7.125	0.250	19.69	20.00
8 5/8	8.625	8.097	0.264	23.57	24.00
9 5/8	9.625	9.063	0.281	28.04	29.30
10 3/4	10.750	10.192	0.279	31.20	32.75
11 3/4	11.750	11.150	0.300	36.69	38.00
13 3/8	13.375	12.715	0.330	45.98	48.00
16	16.000	15.375	0.312	52.36	55.00
20	20.000	19.124	0.438	91.41	94.00

³Because of the type of steel used in fabricating API casing, it should always be threaded and not welded.

- 4.7 TEMPORARY CAPPING. Temporary capping of a well until the pumping equipment is installed shall be such that no contamination can enter the well. A properly fitted and firmly driven, solid, wooden plug or equally water-tight closure is the minimum acceptable.
- 4.8 WELL YIELD. Wells constructed as a source of water for a residence of not more than two dwelling units shall have a stabilized yield of at least 300 gallons per hour and all other wells shall have a stabilized yield adequate for their intended use unless the water bearing formation is such that after proper construction of the well a lesser amount is the maximum amount obtainable: Additional storage may be required when the well cannot produce the stated yield.
- 4.9 YIELD TEST. Before being put into use, every well shall be tested for yield and drawdown by pumping or bailing. The test pump shall be used when necessary to clean the well and shall have a capacity at least equal to the pumping rate which it is expected the well will be pumped during its usage. The test pump shall be installed to operate continuously until the water level has stabilized and, at this point, the yield and drawdown determined.
- 4.10 PLUMBNESS AND ALIGNMENT. Each well which is to be equipped with a turbine pump should be tested, before use, for plumbness and alignment. The well shall not vary from the vertical or from alignment sufficiently to interfere with the installation and operation of the pump.
- 4.11 UPPER TERMINAL WALL. In connection with a well, the casing pipe of any drilled well shall project not less than 12 inches above the pumphouse floor or above the established ground surface, and at least 24 inches above the highest flood level. Any vent opening, observation ports and air line equipment shall extend from the upper terminal of the well by watertight piping to a point not less than 12 inches above the pumphouse floor or above the established ground surface. The terminals of these facilities shall be shielded or sealed so as to prevent entrance of foreign matter.

4.12 PITLESS ADAPTER. There shall be no opening in the casing wall below its top except by the use of a properly installed pitless adapter designed to, and fabricated of such materials that will keep soil and water from entering the well during the life of the casing. The pitless adapter shall be of such design that the tubing or drop pipe cannot be dropped into the well by misalignment in assembling the internal parts. The covered top of the pitless adapter shall project not less than 12 inches above ground surface and at least 24 inches above the highest flood level. There shall be no openings through the walls of the well or adapter casing for vents, wire, air lines, etc.

4.13 SEALING.

- (a) The casings of wells developed in rock shall be firmly seated in sound rock. If broken or creviced rock is encountered in the aquifer, the hole shall be reamed through the broken or creviced rock and the casing seated in sound rock or an aquiclude. In areas where rock wells can be developed only in the upper fractured rock, casing may terminate in this formation if there are at least 20 feet of unconsolidated material above the rock.
- (b) In a rock well the annular space between the casing and the drill hole shall be sealed to a sufficient depth to prevent surface drainage water, or shallow subsurface drainage, from entering the hole. If rock is encountered within 25 feet of the surface, the hole shall be reamed at least 4 inches greater diameter than the casing so that a minimum 2 inch annular space can be filled with cement grout. The casing should be extended at least 10 feet into the rock or to a point at least 25 feet below the surface, and cement grout shall be used to seal the annular space.
- (c) Cement grout that is used to seal a hole diameter larger than the casing should be composed of a thorough mixture of Portland cement and clean water at a rate of one bag (94 lbs) of cement to 5 or 6 gallons of water so that it can be pumped or puddled into the annular space to seal it. If such a cement grout cannot be placed effectively, additives may be used provided shrinkage is held to a minimum and the mixture will form a watertight seal throughout the entire depth required to prevent objectionable waters from entering the hole.
- (d) Where pipe is driven through clay, silt, sand, or gravel into a hole of smaller diameter than the casing, and where such unconsolidated clays, silts, sand or gravel are present to a depth greater than 20 feet below the surface, puddled, bentonitic clay may be used to seal the annular space. Bentonitic clay should be kept puddled around the point when the casing enters the ground in order to maintain a seal around the drive pipe and couplings and to serve as a lubricating medium while driving the casing.
- (e) Whenever a casing is placed in a hole of larger diameter than the casing, the annular space between the casing and the wall of the hole shall be sealed from the rock or screen setting to the surface with either thick bentonitic clay mud or cement grout in the manner described in B and C above.
- (f) Dug or bored wells constructed with a screen threaded or welded to metallic casing, and with a concrete cut-off seal at least 30 inches thick poured and puddled to fill the excavation 20 or more feet below ground surface, may be backfilled above the seal with compacted drillings or clay in such a manner that the resulting fill will be as resistant to seepage as the undisturbed earth around it. The screen used in this construction should be bronze or stainless steel to permit acidizing since it cannot be removed.

- 4.14 AN ADEQUATE SCREEN shall be provided where necessary, and installed in a manner that will permit removal and replacement without adverse effect on the watertight construction of the well.

SECTION 5. PUMP INSTALLATION

- 5.1 HAND PUMPS. All hand pumps, stands, or similar devices shall be installed so that no unprotected opening connecting with the interior of the pump exists. The pump spout shall be of the closed downward-directed type. All hand pumps shall be bolted to a mounting flange securely fastened to the well casing. The top of the casing shall extend at least (1) inch above the face of the flange.
- 5.2 POWER DRIVEN PUMPS. All power-driven pumps located over wells shall be mounted on the well casing, a pump foundation, or a pump stand, so as to provide an effective well seal at the top of the well. Extension of the casing at least one (1) inch into the pump base will be considered an effective seal provided the pump is mounted on a base plate or foundation, in such manner to exclude dust and insects, and the top of the well casing is at an elevation at least two feet above any known flood water level. Where the pump unit is not located over the well and the pump delivery or suction pipe emerges from the top thereof, a watertight expanding gasket or equivalent well seal shall be provided between the well casing and piping. A similar water-tight seal shall be provided at the terminal of a conduit containing a cable for a submersible pump. All submersible pumps should have one check valve located on the discharge line above the pump and inside the casing. If the discharge pipe is at least twelve (12) inches above the ground and slopes to drain into the well, the check valve may be located in the house.
- 5.3 PUMP BEARING LUBRICATION. Bearings of power pumps shall be lubricated with water or oil of a bacterial quality equal to that of the water being pumped.
- (a) WATER LUBRICATED PUMPS. If a pump delivering a potable water is provided with a water lubrication tank, the tank shall be so designed and installed as to prevent contamination of the water therein.
- (b) OIL LUBRICATED PUMPS. The oil reservoir shall be constructed to protect the oil from contamination. The lubrication system should be designed and installed to minimize leakage of oil into the water. The oil shall be free from substances imparting an undesirable taste to the water.
- 5.4 PUMPHOUSES. Unless the power-driven pump installation is of weatherproof and frost proof construction, a structure housing the pump shall be constructed permitting access to the pump for maintenance and repair work. The pumphouse floor shall be constructed of impervious material and shall slope away in all directions from the well or suction pipe.
- 5.5 PROTECTION AGAINST FREEZING. Discharge lines and vacuum lines from the well to the foundation of heated buildings shall be protected against freezing.
- 5.6 WELL VENTS. All well vent openings shall be piped watertight to a point not less than 24 inches above any known flood water level, and, in any event, to the top of the well casing. Such vent opening and piping shall be of sufficient size to prevent clogging by hoarfrost and in no case less than one-quarter inch in diameter. The terminals of vent pipes shall be shielded and screened to prevent the entrance of foreign matter and preferably turned

down. If toxic or inflammable gases are vented from the well, the vent shall extend to the outside atmosphere at a point where the gases will not produce a hazard. Openings in pump bases shall be sealed, water-tight.

- 5.7 SAMPLING FAUCETS. In all pressure water systems provision shall be made for collection of water samples by installation of a faucet on the discharge side of and as close as possible to the pump. The sampling faucet shall have a smooth turned down nozzle. A hose bib shall not be used.
- 5.8 SUCTION OR NON-PRESSURE LINES. All buried suction pipe, or non-pressure lines shall be enclosed in a pipe conduit having a minimum wall thickness equivalent to a casing of same size, and shall be located from sources of pollution in accordance with the distances specified in Section 3.3. Suction pipes with annular space between pipe and encasement under pressure may be installed within the specified distances but in no case within 10 feet. Sewers of cast iron pipe with leaded joints, clear water drains, and cisterns, shall not be located within 10 feet of a suction line. No suction line shall be beneath a sewer. An exposed suction pipe, as in a basement room, shall be 18 inches, or greater practicable distance above the floor. Any pipe connecting a pump and well shall be protected against freezing.
- 5.9 MATERIALS PROHIBITED. No material will be used in the well or pump installation that will result in the delivered water being toxic or having an objectionable taste or odor. All metallic and non-metallic materials shall have sufficient structural strength and other properties to accomplish the purpose for which installed. Flexible or non-rigid plastic pipe shall not be used for suspending submersible pumps, unless having the physical properties to withstand the torque and load to which it is subjected. Plastic pipe shall not be used unless bearing the approval of the National Sanitation Foundation and unless having the physical properties to withstand the torque and load to which it is subjected.
- 5.10 OFFSET PUMPS AND SAMPLING FAUCETS shall be located where they are readily accessible. They shall not be located in a crawl space unless the crawl space is drained to the ground surface beyond the crawl space either by gravity or by means of a sump pump, and a minimum of four (4) feet of clear working space is provided between the floor of the crawl space and the floor joist in the pump area. If located in a crawl space, the pump shall be located within five (5) feet of the point of entry. The access opening should be at least two (2) feet high and two (2) feet wide. Any part or accessory to the water system, which requires routine maintenance shall not be installed in a crawl space unless that crawl space meets the requirements of the provisions of this Ordinance.
- 5.11 PRESSURE TANKS or approved substitutes, used as part of the water system shall be of such size as to prevent excessive wear of the pump due to frequency of starting or stopping.

SECTION 6. USE OF WELLS FOR DRAINAGE PURPOSES

- 6.1 The use of a well for disposal of sewage or other material which may pollute the potable underground water is prohibited.

- 6.2 If a well is used for the purpose of returning uncontaminated water to the ground, the plans for the well that is to be used must be submitted to and be approved by the Health Officer.

SECTION 7. DISINFECTION, SAMPLES AND REPORTS

- 7.1 DISINFECTIONS. To prevent contamination of the well or aquifer, it is desirable to maintain a chlorine residual of 200 parts per million in the well hole all during the drilling process. Under these conditions the well need not be disinfected until the pump is set. Every new, modified, or reconditioned water source, including pumping equipment and gravel used in gravel wall wells, shall be disinfected before being placed in service for general use. Such treatment shall be performed both when the well work is finished and when pump is installed or reinstalled. If there is no significant lapse of time between the two operations, only the latter disinfection will be required. The casing pipe shall be thoroughly swabbed to remove oil, grease, and joint dope, using alkalies of necessity to obtain clean metal surfaces. The well or other ground water development equipment, including the pumping equipment and gravel used in gravel well construction shall be disinfected with a solution containing enough chlorine to leave a residual of 25 parts per million in the well after a period of at least 24 hours.
- 7.2 WATER SAMPLES. After pumping the well to remove all the disinfectant, water samples, when deemed necessary to the Health Officer, shall be collected from the installation and shall by laboratory analysis indicate the water to be satisfactory before such installation shall be placed in service and water samples shall be collected by the one making such pump installation.
- 7.3 WELL RECORD. The well driller shall supply the Health Officer, within thirty (30) days after drilling the well, with an accurate record of the construction details of the well including a log of the soil formations and deeper material in which the hole is drilled, results of pumping tests and such other information that may be requested. The driller shall furnish the owner a duplicate copy of this information.

SECTION 8. ABANDONING WELLS

- 8.1 A well, to be temporarily abandoned, but which the owner intends to equip and use at some future time shall be temporarily sealed at the surface by a welded or threaded cap or in the case of a dug well in a manner satisfactory to the Health Officer.
- 8.2 PERMANENT ABANDONMENT. A well that is to be abandoned permanently shall be filled with cement grout opposite each water bearing formation and in the top 40 feet of the hole. The remainder of the hole may be filled with puddled clay or other impermeable material that will permanently prevent migration of fluids in the hole. Sand, gravel, slag, and crushed limestone are not desirable materials to use in filling a hole because they are permeable, but they may be used opposite a formation or stratum that is impermeable to water to bridge between zones of cement grout. If salt water is entering or may enter the well, the entire hole should be filled with cement grout. When permanently abandoning a well, the person doing such work shall report to the Health Officer within forty-eight (48) hours after completion of such work.

SECTION 9. POWERS FOR INSPECTION -- ENFORCEMENT -- SERVICE OF NOTICES AND ORDERS -- HEARINGS

- 9.1 The Health Officer, bearing proper credentials and identification, shall be permitted to enter upon all properties at proper times for the purpose of inspection, observation, measurement, sampling, and testing necessary to carry out the provisions of this ordinance.

- 9.2 Whenever the Health Officer determines that there are reasonable grounds to believe that there has been a violation of any provision of this ordinance, he shall give notice of such alleged violation to the person or persons responsible therefor, and to any known agent of such person, as hereinafter provided. Such notice shall:
- (a) Be put in writing;
 - (b) Include a statement of reasons why it is being issued;
 - (c) Allow a reasonable time for the performance of any act it requires;
 - (d) Be served upon the owner or his agent, or the occupant, as the case may require; provided that such notice shall be deemed to be properly served upon such owner or agent, or upon such occupant, if a copy thereof is served upon him personally, or if a copy thereof is sent by certified mail to his last known address, or if a copy thereof is posted in a conspicuous place in or about the dwelling affected by the notice, or if he is served with such notice by any other method authorized or required under the laws of this state;
 - (e) Such notice must contain an outline of remedial action, which, if taken, will effect compliance with the provisions of this ordinance.
- 9.3 Any person affected by any such notice may request and shall be granted a hearing on the matter before the Health Officer or his designated representative provided that such person shall file in the office of the Health Officer within ten (10) days after service of the notice, a written petition requesting such hearing and setting forth a brief statement of the grounds therefor. Upon receipt of such petition the Health Officer shall arrange a time and place for such hearing and shall give the petitioner written notice thereof. Such hearing shall be held as soon as practicable after the receipt of request therefor. At such hearing the petitioner shall be given an opportunity to be heard and to show cause why such notice should not be complied with.
- 9.4 After such hearing, the Health Officer or his designated representative shall sustain, modify or withdraw the notice, depending upon his findings as to whether the provisions of this ordinance have been complied with. If the Health Officer or his designated representative shall sustain or modify such notice, it shall be deemed to be an order. Any notice served pursuant to sub-section 9.2 of this ordinance shall automatically become an order if a written petition for a hearing is not filed in the office of the Health Officer within the ten (10) days after such notice is served. After a hearing in the case of any notice suspending any permit required by this ordinance, when such notice has been sustained by the Health Officer, or his designated representative, the permit shall be deemed to have been revoked. Any such permit which has been suspended by a notice shall be deemed to be automatically revoked if a petition for hearing is not filed in the office of the Health Officer within ten (10) days after such notice is served.
- 9.5 Whenever the Health Officer finds that an emergency exists which requires immediate action to protect the public health he may, without notice of hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as he deems necessary to meet the emergency. Notwithstanding the other provisions of this ordinance, such order shall be effective immediately, but upon petition to the Health Officer shall be afforded a hearing as soon as possible, in the manner provided in sub-section 9.3. After

- 2.2 Before the installation of any pump or facilities to convey water from a well, including pitless adaptors, well seal, well houses, or connecting piping constructed as part of a private water supply built under the provisions of this ordinance, a pump installer shall obtain a written permit signed by the Health Officer, and permit shall be posted in a conspicuous place on the premises prior to the commencement of work thereunder. No person shall perform any work on such project until such permit is so obtained and posted on the premises. The application for such permit shall be made on a form provided by the Health Officer of Hendricks County, Indiana, which the applicant shall supplement by any plans specifications and other information as are deemed necessary by the Health Officer. Such permit shall be void if the installation is not completed in one year. These requirements shall apply to the repair of a well, pump, or accessory lines thereto when it is necessary to uncover the buried upper terminal of the well. In emergency situations, the pump installer may install a pump prior to obtaining a pump permit but the Health Officer shall be notified by telephone, by the pump installer, of the pending pump installation. In such emergency installations, the application for the permit shall explain the emergency and the reason why the pump was installed, prior to obtaining the permit. The pump permit shall be obtained within 24 hours of the regular scheduled work day of the Division of Public Health, for the start of the emergency installation.
- 2.3 The Health Officer shall be allowed to inspect the well installation at any stage of construction and in any event, the applicant for the permit shall notify the Health Officer when the work is completed or of his intention to abandon the well all in compliance with this ordinance. The inspection shall be made within forty-eight (48) hours of the receipt of notice by the Health Officer. Days not considered regular working days shall not be considered part of the forty-eight (48) hours notice.
- 2.4 The Health Officer shall be allowed to inspect the pump installation at any stage of construction, and, in any event, the applicant for the permit shall notify the Health Officer when the work will be ready for final inspection at least four (4) scheduled work hours before any underground portions are covered. Such scheduled work hours shall be the work hours of the Department of Public Health of Hendricks County, Indiana.

SECTION 3. LOCATION

- 3.1 Private water supply wells shall be located in keeping with the following principles:
- (a) At the highest point on the premises consistent with the general layout and surroundings, but in any case protected against surface drainage and flooding.
 - (b) As far removed from any known or probable source of contamination as the general layout of the premises and surroundings permit.
- 3.2 Private water supply wells serving a residence consisting of not more than two dwellings shall maintain the following minimum separation distances from sources of contamination:

Cast iron sewers with approved joints	10 feet
Sewers and drains	50 feet
Privies	50 feet
Septic tanks and Absorption fields	50 feet
Seepage pits and Dry Wells	100 feet
Stables, livestock runs, manure piles, etc.	50 feet
Streams, lakes, ponds, ditches	25 feet
Property lines	15 feet

The Health Officer may waive by written documentation the requirements set forth above when he considers that it will not endanger public health.

- 3.3 Private water supply wells serving other than a residence consisting of not more than two dwelling units shall maintain the following minimum separation distances from sources of contamination:

Extra heavy cast iron sewers with approved joints	30 feet
Sewers and drains	100 feet
Septic tanks, absorption fields, filters	100 feet
Privies	100 feet
Streams, lakes, ponds, ditches	50 feet
Property lines	15 feet

The Health Officer may waive by written documentation the requirements set forth above when he considers that it will not endanger public health.

- 3.4 RELATIONSHIP TO BUILDINGS. The location of wells with respect to buildings shall be as follows:

- (a) Every well located so that it will be reasonably accessible with proper equipment for cleaning, treatment, testing, inspection, and such other attention as may be necessary. It should be at least three feet outside of any existing building overhang.
- (b) No well shall be located so that the top of the well will be within the basement of any building nor under a building having no basement.
- (c) Well heads and well casing openings shall not be located in any pit, room or space extending below the established ground surface, except when permitted by the Health Officer and under such conditions and construction requirement as he prescribes.

SECTION 4. CONSTRUCTION OF WELLS

- 4.1 All wells shall be cased to a depth of 25 feet or more below the ground surface, or cased to a depth of 20 feet and set in stone.
- 4.2 CASING FORMATIONS WITH NON-STABLE OVERLAY. The casing of wells developed in clay, sand or gravel shall extend water-tight into the water-bearing formation.
- 4.3 CASING DIAMETER. The minimum casing diameter shall be preferably four inches but not less than two inches inside diameter for a well to be used as a source of potable water.
- 4.4 ROCK FORMATIONS. The casing of wells developed in rock formation shall be firmly seated and sealed in the rock.
- 4.5 DAMAGED OR CONTAMINATED PIPE shall not be used for well casing.
- 4.6 CASING MATERIAL. The casing of the well shall be constructed of wrought iron, steel, or type K copper of sufficient thickness and quality to protect the well against structural deficiencies during construction, and against pollution and other

such hearing, depending upon the finding as to whether the provisions of this ordinance have been complied with, the Health Officer shall continue such order in effect, or modify it, or revoke it.

SECTION 10. PENALTIES

- 10.1 Any person found to be violating any provision of this ordinance except subsections 2.1 or 2.2 shall be served by the Health Officer with a written order stating the nature of the violation and providing a time limit for satisfactory correction thereof. Any person found to be violating subsection 2.1 or 2.2 immediately shall be subject to prosecution therefor and, upon conviction, shall be subject to the penalties set forth in sub-section 10.2
- 10.2 Any person who shall continue any violation of this ordinance beyond the time limit provided for in sub-section 10.1 of this ordinance shall be guilty of a misdemeanor. On conviction, the violator shall be punished for the first offense by a penalty of not more than Five Hundred Dollars (\$500.00); for the second offense by a penalty of not more than One Thousand Dollars (\$1,000.00); and for the third and each subsequent offense by a penalty of not more than One Thousand Dollars (\$1,000.00) to which may be added imprisonment for any determinate period not exceeding ninety (90) days, and each day after the expiration of the time limit for abating the violation shall constitute a distinct and separate offense.
- 10.3 Any person violating any provisions of this Ordinance shall become liable to Hendricks County Department of Health for any expense, loss, or damage occasioned it by reason of such violation.

SECTION 11. ENFORCEMENT INTERPRETATION

- 11.1 The Health Officer may adopt such rules and regulations as he deems necessary for the proper enforcement and to carry out the purpose and intent of this ordinance.

SECTION 12. VALIDITY

- 12.1 All ordinances or parts of ordinances in conflict herewith are hereby repealed.
- 12.2 The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part of this ordinance.

SECTION 13. ORDINANCE IN FORCE

- 13.1 This ordinance shall be in full force and effect on and after its passage, approval by the Commissioners and publication as required by law.

Passed and adopted by the Commissioners of Hendricks County, State of Indiana, on this 7th day of February, 1972.

Howard G. Gible
Arthur H. Hinsel
Commissioners of Hendricks County

Mary Jane Heath
Auditor

Food Establishment Ordinance

WHEREAS, the Board of County Commissioners of Hendricks County, deems it advisable for the promotion of public health to establish health and sanitary regulations for (1) food service establishments, (2) retail food markets, and (3) vending of foods and beverages.

BE IT ORDAINED by the Board of County Commissioners of Hendricks County that the provisions of this ordinance are effective within Hendricks County and that the Hendricks County Board of Health is hereby empowered to enforce the provisions of this ordinance.

SECTION I. DEFINITIONS

The definitions as stated in the Indiana State Board of Health Regulations HFD 17 (Food Service Establishments) HFD 19 (Retail Food Markets) HFD 21 (Vending for Foods and Beverages) shall be used to enforce the Food Establishment Ordinance. At least two copies of the Indiana State Board of Health Regulations HFD 17, 19 and 21 shall be on file in the County Auditor's Office.

HENDRICKS COUNTY -- The term "Hendricks County" shall mean those rural and urban areas which are under the jurisdiction of the Hendricks County Health Officer.

HEALTH OFFICER -- The term "Health Officer" shall mean the Hendricks County Health Officer or his duly authorized representative.

SECTION II. PERMITS

A. Permits -- It shall be unlawful for any person to operate a food establishment in Hendricks County, who does not possess a valid permit from the Health Officer. Only persons who comply with the applicable requirements of this ordinance shall be entitled to receive and retain such a permit. The permit shall be for a term of one year beginning January 1st and expiring December 31st of the same year and shall be renewed annually.

1. A separate permit shall be required for each food establishment operated or to be operated by any person.
2. A permit issued under this ordinance is not transferable.
3. A permit is required for an operator of vending machines.
4. No permit or renewal thereof shall be denied or revoked on arbitrary or capricious grounds.

B. Permit Fee -- A permit fee of Five Dollars (\$5.00) shall be paid annually for each food establishment permit issued beginning January 1, 1973. All such permit fees shall be collected by the Health Officer and shall become a part of the Hendricks County Health Fund.

C. Permit Fee Exceptions -- A permit fee shall not be required for food establishments operated by religious, educational or charitable organizations. However, such establishments shall comply with the provisions of Section II "A" and "D" of this ordinance.

D. Temporary Permit for Temporary Food Service Establishment -- A temporary permit shall be required for all temporary food service establishments operated by all religious, education, social, charitable, fair, carnival, circus, public exhibition, or similar transitory organizations. Such temporary permits shall be for a temporary period of time, not to exceed two (2) weeks. There shall be no permit fee for such temporary permit.

SECTION III. MINIMUM SANITATION REQUIREMENTS FOR FOOD ESTABLISHMENTS

All food establishments, whether operating under a standard permit or a temporary permit shall comply with the minimum sanitation requirements specified by the Indiana State Board of Health as now provided in Regulations HFD 17, 19 and 21 or as the same may be hereafter changed or amended. Such regulations promulgated are by reference incorporated herein and made part hereof, two copies of which are on file in the office of the Auditor of Hendricks County, Indiana, for public inspection.

SECTION IV. INSPECTION OF FOOD ESTABLISHMENTS

Frequency of Inspection -- The Health Officer shall inspect each food establishment for which a permit is required under the provisions of this ordinance at least once each year.

SECTION V. APPROVAL OF PLANS

All food establishments which are hereafter constructed or altered shall conform with the applicable requirements set forth in Section III of this ordinance. Properly prepared plans and specifications shall be submitted to and approved by the Health Officer as may be required before starting any work.

SECTION VI. DISEASE CONTROL

No person shall be permitted to work in a food establishment who does not meet the health requirements specified by the Indiana State Board of Health as provided in Regulations HFD 17, 19 and 21.


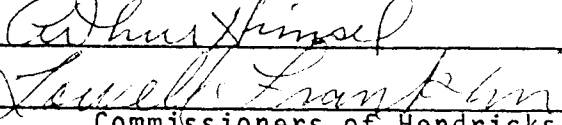
SECTION VII. UNCONSTITUTIONALITY CLAUSE

Should any section, paragraph, sentence, clause, or phrase of this ordinance be declared unconstitutional, or invalid for any reason the remainder of said ordinance shall not be affected thereby.

SECTION VIII. REPEAL AND DATE OF EFFECT

A. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed, and this ordinance shall be in full force and effect from and after its passage, approval by the Commissioners and publication as required by law.

B. Passed and adopted by the Commissioners of Hendricks County, State of Indiana, on this 6th day of ^{November} ~~April~~, 1972.



Commissioners of Hendricks
County

Auditor

AN ORDINANCE ESTABLISHING INSPECTION FEES
IN CONJUNCTION WITH WELL AND PUMP PERMITS
AMENDING GENERAL ORDINANCE NO. 3, 1972
ENTITLED "AN ORDINANCE REGULATING INSTALLA-
TION, CONSTRUCTION AND MAINTENANCE OF WELLS
AND PUMPS, FIXING PENALTIES FOR VIOLATIONS
THEREOF: AND FIXING A TIME WHEN THE SAME
SHALL TAKE EFFECT."

WHEREAS, the Board of County Commissioners of Hendricks County deemed it advisable for the promotion of public health to establish health and sanitary regulations, for the installation, construction and maintenance of wells in Hendricks County, Indiana, and

WHEREAS, the Board of County Commissioners of Hendricks County passed an Ordinance, the same being, General Ordinance No. 3, 1972, on the 7th day of February, 1972, regulating the installation, construction and maintenance of wells and pumps, and

WHEREAS, the Board of County Commissioners of Hendricks County deemed it advisable and necessary to establish a permit inspection fee in conjunction with the regulations contained in said General Ordinance No. 3, 1972,

Be it now ORDAINED by the Board of County Commissioners of Hendricks County, that Section 2.1 of said General Ordinance No. 3, 1972, shall be amended by the following, which shall be Section 2.1A, of General Ordinance No. 3, 1972, as follows:

A permit inspection fee of Eight Dollars (\$8.00) shall be paid to the Hendricks County Health Department at such time as a well contractor shall apply for a well permit, pursuant to Section 2.1 above.

Be it further ORDAINED by the Board of County Commissioners of Hendricks County, Indiana, that Section 2.2 of said General Ordinance No. 3, 1972, shall be amended by the following, which shall be known as Section 2.2A, of General Ordinance No. 3, 1972, as follows:

A permit inspection fee of Eight Dollars (\$8.00) shall be paid to the Hendricks County Health Department at such time as application is made for the installation of any well pump or facilities to convey water, pursuant to the regulation set forth above in Section 2.2.

Be it further ORDAINED by the Board of County Commissioners of Hendricks County, Indiana, that Section 10, entitled "Penalties", of said Ordinance No. 3, 1972, and more particularly Section 10.1 shall be amended as follows:

Penalties 10.1: Any person found to be violating any provision of this Ordinance, except Section 2.1, 2.1A, 2.2, or 2.2A, shall be served by the Health Officer with a written order stating the nature of the violation and providing a time limit for satisfactory correction therewith. Any person found to be violating sub-section 2.1, 2.1A, 2.2 or 2.2A, immediately shall be subject to prosecution therefore, and upon conviction, shall be subject to the penalties set forth in sub-section 10.2.

This Ordinance amending in part, General Ordinance No. 3, 1972, shall be in full force and effect from and after its approval, passage and publication, according to law.

Passed and Adopted by the Commissioners of Hendricks County, State of Indiana, on this 4th day of December, 1972.

Howard G. Kelly
Arthur H. Hines
Lowell Franklin
Commissioners of Hendricks County

Attest:

Mary Jane Weathers
Auditor