FILED

MAR 1 8 2024

Belicae Munson MUNCIE CITY CLERK

## ORDINANCE NO. (1-1)

An Ordinance to Restrict the Use of Groundwater In Certain Areas

WHEREAS, the City Council ("Council") of the City of Muncie, Indiana ("City") has been advised that, due to the presence of contaminants affecting the groundwater in a certain area of the City described below, it is necessary and desirable to enact a restriction prohibiting the use of groundwater within such area to protect the public health; and

THEREFORE, BE IT ORDAINED by the COMMON COUNCIL of the CITY OF Muncie as follows:

SECTION ONE: The Code of Ordinances of the City of Muncie, Indiana ("Code"), Chapter 51 entitled "WATER SERVICE," is hereby amended by .adding the following new section to be designated and entitled "GROUND WATER RESTRICTION" as follows:

## §52.19. GROUND WATER RESTRICTION.

- (A) This section applies only to the geographic area of the City within the following boundaries: See maps attached as Exhibit "A" and list of included legal descriptions, parcel numbers and current owners' names attached as Exhibit "B". Such geographic area shall be referred to in this section as the "restricted area". This section does not apply to monitoring wells or groundwater wells that may be used as part of an environmental investigation or remediation project.
- (B) Installation and use of private water wells for human and domestic purposes within the restricted area are hereby prohibited. Occupants or users of real property within the restricted area must be connected to the public water supply utility.
- (C) Any private water well within the restricted area existing as of the date of the taking effect of this section, ·or thereafter, must be disconnected from the water supply system and such disconnection of the well must be inspected and approved by the City.
- (D) Any use of private water wells within the restricted area after the taking effect of this section shall constitute a violation thereof, and shall be subject to a penalty in the form of a fine not to exceed \$2,500.00 for each violation. Each day such use shall occur or continue shall constitute a new and

separate violation, and shall be subject to additional fine, each such day's fine not to exceed \$2,500.00.

(E) The City of Muncie, acting by and through the Clerk, shall provide written notice to the Indiana Department of Environmental Management at least 60 days before the amendment or repeal of this ordinance and no later than 30 days after the passage, amendment or repeal of this ordinance. Written notice shall be sent to the following address:

IDEM, Office of Land Quality Remediation Services Branch Attn: Branch Chief IGCN Suite I 101 IOON Senate Avenue Indianapolis, IN 46204-2251.

SECTION TWO: This ordinance shall become effective upon its adoption in the manner required by law, and upon publication thereof pursuant to I.C. §36-4-6-14 (b)and pursuant to LC. §5-3-1-4.

SECTION THREE: All ordinances or portions thereof in effect prior to the effective date and in conflict with the provisions of this ordinance are hereby repealed.

	YEAS	NAYS	ABSTAINED	ABSENT
Jeff Green				
Nora Evans Powell				
Brandon Garrett				
Sara Gullion				
Jerry Dishman				
Harold D. Mason				
Dale Basham				
Ro Selvey				
William McIntosh				

Passed by the Common Council of the City of Mun- , 2024.	cie, Indiana, this day of
	President Common Council, City of Muncie
ATTEST:	Common Council, City of Marieto
Belinda Munson. Clerk	
This ordinance presented by me, the Clerk of the Capproval this day of, 2024.	City of Muncie, Indiana, to the Mayor for his
	Belinda Munson, Clerk
This ordinance signed and approved by me, the Ma day of, 2024	ayor of the City of Muncie, Indiana, this
This ordinance is proposed by Council Member This ordinance is approved in form by Legal Couns	



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FIGURE 1

MUNCIE UTILITY WAREHOUSE 1520 WEST 5TH STREET RUNCIE, INDIANA

PROPOSED ENVIRONMENTAL RESTRICTIVE ORDINANCE BOUNDARY OVERLAY MAP

Parcel ID, 181117429001.000003

- OFF-SITE PROPERTY BOUNDARY (APPROXIMATE)

PROPOSED ERO SOUNDARY

PO REMARAL ENVACED DESIGNATION

RAMBOLL

RAMBOLL US CONSULTING, INC.

FIGURE 2

MUNCIE UTILITY WAREHOUSE 1520 WEST 5TH STREET NUNCIE, INDIANA

PROPOSED ENVIRONMENTAL RESTRICTIVE ORDINANCE BOUNDARY OVERLAY MAP



- OFF-SITE PROPERTY BOUNDARY (APPROXIMATE) ---- ON-SITE PROPERTY BOUNDARY (APPROXIMATE)

MPROPOSED ERO BOUNDARY

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FIGURE 3

\*\*\* PCE CONCENTRATION ISOPLETH (EXCEEDS 5 µgl.) MUNCIE UTILITY WAREHOUSE 1520 WEST 5TH STREET AUNCIE INDIANA \*\* TOE CONCENTRATION ISOPLETH (EXCEEDS 5 µg/L) CT CONCEMPATION ISOPLETH (EXCEEDS 5 µ94.) \*\*\*\* INFERRED TOE CONCENTRATION ISOPLETH APPROXIMATE CONCENTRATION BOLINDARIES UTLITES (APPROXIMATE)

NOTE SANTIARY SEVER LINE

NOTE STORY WATER LI COMMANCATION LINE

COMMANCATION (BRIED)

WANNOLE

WANNOLE

WOOD DRAW (FILED)

WHOO BE BEEN (FILED)

- OFF-SITE PROPERTY BOUNDARY (APPROXIMATE)

O BORING BY RAMBOLL

**& MONITORING WELL (AM)** 

\*\*\* ON-SITE PROPERTY BOUNDARY (APPROXIMATE)

EXTERIOR/EASTERN INTERIOR GROUNDWATER ANALYTICAL RESULTS AND PCE/TCE/CT CONCENTRATION ISOPLETHS STH STREET 70 22.202.1) 70 14.(121) 71 14.(121) 72 14.(121)

0 1900 0 1900 0 1 EDEM Groundwater Homen Health Levels (1924.) MUNCE UTLITY WAREHOL PCE TCE 120CA 45-13-0CE PAST ROAD TRACK SEE FIGURE 4 FOR WESTERN INTERIOR Sellipse Liquid | 1103718 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 153 | 15

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FIGURE 4

MUNCIE UTILITY WAREHOUSE 1520 WEST 5TH STREET MUNCIE, INDIANA

GROUNDWATER ANALYTICAL RESULTS AND PCE/TCE/CT CONCENTRATION ISOPLETHS INTERIOR/WESTERN INTERIOR

Semple Diputer 102/2018 2013/1 | March Dynn | 1922/19 | March Dynn | 1922/19 | March Dynn | 1922/19 | March Dynn | University | Sample-11 1122/19
Sample-Depth 20-25 8
PCE 81.4
TDE 6.8
All Other VOCS NO 26.206.0) 12.5 (11.2) 10.000) OP-19 20-1017 Seepel Doubt 25-40-8 All Other VOCs ND 114 (122) 114 (122) 114 (123) 10 (100) A Charles 120C4 31 RDP-21 C NOP-47 O Entrance Door RDP-36.0 \$ 3 3 3 S Microevan reczery
Impre Digital 1938
Ad Other POCs 183 O RDP-48

--- ON-SITE PROPERTY BOUNDARY (APPROXIMATE)

- OFF-SITE PROPERTY BOUNDARY (APPROXIMATE)

- WITERIOR OPENINGEDODRWAY S ENTERIOR OVERHEAD DOOR O BORING BY OTHER CONSULTANT

Newpor Course Surfering Police Police

RAIL ROAD TRACKS

A MONITORING WELL (MM)

CI MIPT RAMBOLL BORING LOCATION

APPROXMATE CONCENTRATION BOLINDARES

\*\* PCE CONCENTRATION ISOPLETH (EXCEEDS 5 µgl.) \*\*\*\* TOE CONCENTRATION ISOPLETH (EXCREDS 5 µ94.) \*\*\* BREEKED TOE CONCENTRATION SOPLETH

\*\*\* CT CONCENTRATION ISOPLETH (EXCEEDS 5 µg1.)

UTILITIES (APPROXIMATE)

SMATTAY STAFF LINE

SMATTAY STAFF LINE

OMBRED SEPRE LINE

OMBRE

WANHOWN (BLRIED)

WANHOLE

PROCR DRAIN (FILED)

O POLE

WELL PUMP

DIO MANORENO DE ORGANIA COSTA

201100631 13300H