

**BOARD OF SUPERVISORS  
COUNTY OF NEW KENT  
VIRGINIA**

**O-02-03**

At the regular meeting of the Board of Supervisors of the County of New Kent in the Board Room of the County Office Building in New Kent, Virginia, on the 12<sup>th</sup> day of May, 2003:

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Present:	Vote:
Rebecca M. Ringley	Nay
James H. Burrell	Aye
Dean E. Raynes	Aye
W.R. "Ray" Davis, Jr.	Aye
Julian T. Lipscomb, Sr.	Aye

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Motion was made by Mr. Burrell, which carried 4:1 to adopt the following ordinance:

**AN ORDINANCE AMENDING SECTION 38  
OF THE NEW KENT COUNTY CODE  
TO PROHIBIT INSTALLATION OF IRRIGATION WELLS  
ON PROPERTY SERVED BY PUBLIC WATER.**

**WHEREAS**, the County of New Kent operates County owned water systems in many areas in the County; and

**WHEREAS**, these County owned water systems are dependent upon the ground water supply and various aquifers underlying the areas served by public water; and

**WHEREAS**, the construction of wells by individual property owners could seriously jeopardize the availability of the water supply for the County-owned water system.

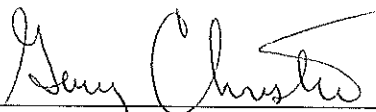
**NOW THEREFORE BE IT ORDAINED** by the New Kent County Board of Supervisors that, to prevent injury to the County owned water systems and for the health, safety and general welfare of the inhabitants of the County of New Kent, and pursuant to the authority granted in Chapter 21, Article II, § 15.2-1200 of the Code of Virginia, the Code of New Kent shall be amended as follows:

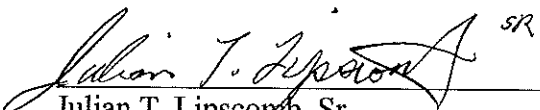
**Section 38- 108 Alternative Water Source Prohibited.**

- a. For any area, subdivision, or parcel of land served by a County-owned water system, the owner, tenant, or occupant shall not construct a well or connect to any alternative water source for any purpose.
- b. Exceptions:
  1. A well may be constructed for purposes other than for supplying potable water, provided that the well draws from the Middle Potomac Aquifer as its sole source of water and that such well meets all other applicable county, state and federal laws and regulations.
  2. Grey water supplied by the County pursuant to a written agreement.
  3. An alternative source of water that was operating prior to the availability of water from a County-owned system and has continued to operate without interruption may continue to provide water for the purposes for which it was constructed.

This ordinance shall be effective upon the date of adoption.

Adopted this 12<sup>th</sup> day of May, 2003.

  
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Gary F. Christie  
County Administrator

  
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Julian T. Lipscomb, Sr.  
Chairman