

ORDINANCE NO. 2016-03-11

ORDINANCE AMENDING SECTIONS 98-151 AND 98-153 OF THE MARIETTA CITY CODE; PROVIDING FOR APPROVAL OF WATER WELLS SOLELY BY THE MARIETTA PUBLIC WORKS AUTHORITY, CLARIFYING THE SECTION NUMBERS REFERRED TO IN SECTION 98-153; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND DECLARING AN EMERGENCY

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARIETTA, OKLAHOMA:

Section 1. Sections 98-151 and 98-153 of Article III of Chapter 98, of the Code of Ordinances of the City of Marietta, which currently state as follows:

Sec. 98-151. No Water Wells Without Approval.

No person owning or controlling or in possession of any real property located within the City limits of the City shall drill, dig or otherwise develop a water well for private use within the City limits without first securing the approval of the Marietta City Council, the Planning and Zoning Commission of the City of Marietta, and the Marietta Public Works Authority.

Sec. 98-153. Inspection.

At all reasonable times, and without notice, and as often as such officer may deem necessary, the Mayor or his duly authorized representative, or the Superintendent of the Marietta Public Works Authority or his duly authorized representative, shall have the right to inspect the premises on which a water well is being drilled or developed. If, upon said inspection, the operator of said well or the operator of the well being developed or drilled, is found to be violating any of the provisions of this ordinance, or the statements made in his application for permit to drill said well, or any of the ordinances of the City, or the statutes of the state, said inspector shall immediately order the shutting off of the water from such well, or order the stopping of the drilling or development of the well, or both, and order the shutting off of all water from the City mains until such violation is corrected. The remedies of this Section 153 shall be in addition to any criminal penalties provided for in Section 152.

are amended to state as follows:

Sec. 98-151. No Water Wells Without Approval.

No person owning or controlling or in possession of any real property located within the City limits of the City shall drill, dig or otherwise develop a water well for private use within the City limits without first securing the approval of the Marietta Public Works Authority.

Sec. 98-153. Inspection.

At all reasonable times, and without notice, and as often as such officer may deem necessary, the Mayor or his duly authorized representative, or the Superintendent of the Marietta Public Works Authority or his duly authorized representative, shall have the right to inspect the premises on which a water well is being drilled or developed. If, upon said inspection, the operator of said well or the operator of the well being developed or drilled, is found to be violating any of the provisions of this ordinance, or the statements made in his application for permit to drill said well, or any of the ordinances of the City, or the statutes of the state, said inspector shall immediately order the shutting off of the water from such well, or order the stopping of the drilling or development of the well, or both, and order the shutting off of all water from the City mains until such violation is corrected. The remedies of this Section 98-153 shall be in addition to any criminal penalties provided for in Section 98-152.

Section 3. Any ordinances and code provisions in conflict with the provisions of this ordinance are repealed.

Section 4. It being immediately necessary for the preservation of the peace, health, safety and public good of the City of Marietta and the inhabitants thereof, that the provisions of this Ordinance be put into full force and effect, an emergency is hereby declared to exist by reason whereof this Ordinance shall take effect and be in full force from and after the date provided herein as provided by law.

Passed by the City Council the City Marietta, Oklahoma and signed by the Acting Mayor on this 8 day of Nov., 2016.

CITY OF MARIETTA

ATTEST:

Dottie Gurin
CITY CLERK

(SEAL)

BY: Dave Burger

ACTING MAYOR

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