

## **ARTICLE XV**

### **“WP” WELLHEAD PROTECTION OVERLAY ZONING DISTRICT**

#### **Section 15.1 Description and Purpose**

Provision of a safe drinking water supply is a paramount public objective and purpose. Water supply for the Village of Middleville comes from groundwater aquifers via five (5) municipal water wells. Water supply to Township households is via private water wells. Most private water wells are in glacial deposits. To assure a long-term, safe supply of drinking water, regulation of land uses and activities of people within so-called municipal wellhead protection zones is deemed to be absolutely necessary. Therefore, by enacting this overlay zoning district, the Township participates with the Village of Middleville to regulate activities within necessary wellhead protection zones.

#### **Section 15.2 Definitions Applicable to the “WP” Overlay Zoning District**

The following words, terms and phrases shall have the meaning ascribed to them, unless the context clearly indicates a different meaning:

- (a) Hazardous waste, compound or material: Any waste, fluid, compound or material which, because of its quantity, concentration or physical, chemical or infectious characteristics may:
  - (1) Cause or significantly contribute to an increase in incapacitating illness or mortality among human population.
  - (2) Pose a substantial, actual, or potential hazard to human health or to the environment when released or improperly discharged.
  - (3) Can be absorbed into soil or groundwater.
- (b) Wellhead: The upper terminal of a well, including adapters, ports, seals, valves and other attachments.
- (c) Wellhead Protection Zone: An area around a public supply water well encompassed within the area described in Section 15.3 of this Ordinance.

#### **Section 15.3 Location and Legal Description of Wellhead Protection Zones**

Established wellhead protection zones are located as shown on the Official Zoning Districts Map adopted as part of this Ordinance and as identified in Section 2.3 of this Ordinance.

#### **Section 15.4 Permitted Land Uses**

Land and buildings in the “WP” Wellhead Protection Overlay Zoning District may be used by right for the following purposes only:

- (a) Parks, playgrounds and other recreational uses along with associated accessory uses and buildings.
- (b) Wildlife areas.

- (c) Maintenance of wellheads and infrastructure.
- (d) Landscaping and maintenance, except application of fertilizers and pesticides.
- (e) Any other open land use where any building located on property is incidental and accessory to the primary open land use.

### **Section 15.5 Prohibited Land Uses and Activities**

The following land uses and activities are prohibited within the “WP” Wellhead Protection Overlay Zoning District:

- (a) Above ground or surface use, storage, or discharge of any hazardous waste or material, including agricultural pesticides, household detergents, industrial or commercial solvents, fuel or other materials falling within the definition set forth under Section 15.2
- (b) Septic tanks and/or drain fields for septic systems.
- (c) Impervious surfaces other than roofs of buildings, streets, driveways and walks serving uses permitted under Section 15.4.
- (d) Sanitary landfills or other disposal sites where solid waste or other substances falling within the definition of Section 15.2 are disposed of by placement of same under earthen cover.
- (e) Waste disposal sites involving the storage or maintenance of any materials falling within the definition set forth under Section 15.2.
- (f) Storm water infiltration basins or sewage treatment lagoons, whether operated by a private entity or governmental agency.
- (g) Underground storage tanks, except those used for the storage of municipal water.
- (h) Sanitary sewer lines within 150 feet of a wellhead.
- (i) Land application of animal wastes.

### **Section 15.6 Private Water Wells**

Homeowners and residents are encouraged to follow measures suggested in the Township Master Plan, pages 11-17 and 11-18 pertaining to protection of groundwater quality.

### **Sections 15.7 – 15.99 [Reserved]**