



MAYOR AND COUNCIL

COUNCIL RESOLUTION NO. 2020-02

A RESOLUTION AUTHORIZING THE CONSTRUCTION OF UP TO AN ADDITIONAL THREE (3) PRIVATE WELLS ON THE GROUNDS OF DOVER INTERNATIONAL SPEEDWAY, INC. FOR THE SOLE PURPOSE SUPPLYING ADDITIONAL VOLUME FOR THE SHOWER FACILITY ON LOT 18

WHEREAS, pursuant to Chapter 110 - Utilities, Article III – Water, Section 67 – Private Wells of the City of Dover Municipal Code, a Request to construct up to 3 (three) additional private wells for the area known as Lot 18 belonging to Dover International Speedway, Inc. was submitted by the real property owners; and

WHEREAS, in order to ensure the public health and safety, the well requirements contained in Resolution 2019-01 and Resolution 2020-02 shall apply to all wells located on property belonging to Dover International Speedway, Inc. or any version thereof and/or private wells utilized to provide potable water to any related events; and

WHEREAS, the property owners of Lot 18 will be required to complete the construction and all operations and maintenance in accordance with the requirements of the City of Dover Municipal Code, State of Delaware Code, and any related policies of the State of Delaware Department of Natural Resources and Environmental Control and the State of Delaware Division of Public Health prior to supplying water to the public and receiving a Certificate of Approval to Operate per event; and

WHEREAS, the provisions of the Zoning Ordinance do not require additional Site Development Plan review for this type of improvement as installation of additional wells are not a structure/building and does not establish new use of the property, however is subject to other State regulatory reviews and subject to authorizations by the City’s Public Works Department and City Manager’s Office; and

WHEREAS, Chapter 110 - Utilities, Article III – Water, Section 67 – Private Wells requires that it shall be unlawful and a nuisance for any person to dig, drill or otherwise excavate any well more than 150 feet below the surface of the ground within the city, or one mile thereof, without the permission of the city council given by resolution.

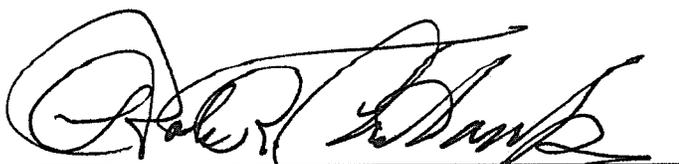
NOW THEREFORE BE IT RESOLVED:

1. That the proposed wells are considered in accordance with the zoning classification and any change in zoning will negate this Resolution; and
2. That all the property owners within the district are benefitted directly or indirectly by the

proper and responsible construction, operation and maintenance of the well; and

3. That it is in the public interest that the additional 3 wells be constructed in accordance with the State of Delaware Code and any related policies of the State of Delaware Department of Natural Resources and Environmental Control; and
4. That in the interest of public health and safety that the infrastructure within Lot 18, exclusive of that within Delaware Department of Transportation/City of Dover right-of-way, shall be maintained in accordance with the Operation and Maintenance Plan developed by the owner which shall include, but not be limited to, providing a secure facility/well house to protect the wellheads and allow for potential treatment, providing a contingency plan for the provision of potable water, performing private testing to ensure adherence to federal/state drinking water standards, at the owner's expense, starting a minimum of two (2) weeks prior to utilization of the well and that maintenance shall include regular minor and major maintenance as well as emergency repairs as needed; and
5. Construction of additional wells on Lot 18, property of Dover International Speedway, Inc. shall not exempt the property owner or developer from participation in a water utility should one be extended by the City of Dover, and permanent signage will be installed to inform the public that the water is not City of Dover supplied water and
6. Any transfer of property, negates this resolution.

ADOPTED: MARCH 9, 2020



ROBIN R. CHRISTIANSEN
MAYOR



WILLAM F. HARE
COUNCIL PRESIDENT

Actions History

03/09/2020 – Introduction – City Council

02/25/2020 – Introduction – Council Committee of the Whole/Utility Committee