

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 32.1-176.5 of the Code of Virginia, relating to local water analysis.*

3 [H 597]

4 Approved

5 **Be it enacted by the General Assembly of Virginia:**6 **1. That § 32.1-176.5 of the Code of Virginia is amended and reenacted as follows:**

7 § 32.1-176.5. Construction permit; local government authority to require analysis of water.

8 A. Any person intending to construct a private well shall apply to the Department for and receive a
9 permit before proceeding with construction. This permit shall be issued no later than sixty days from
10 application and in accordance with the Board's regulations. In addition, an inspection shall be made after
11 construction to assure that the construction standards are met.12 B. The local governing bodies of the Counties of Albemarle, Chesterfield, Clarke, Culpeper, Fairfax,
13 Fauquier, James City, Loudoun, Orange, Prince William, Rappahannock, Stafford, and York and the
14 Cities of Manassas, Manassas Park, Suffolk, and Virginia Beach may by ordinance establish reasonable
15 testing requirements to determine compliance with existing federal or state drinking water quality
16 standards and require that such testing be done prior to the issuance of building permits. Such testing
17 requirements shall apply only to building permit applicants proposing to utilize private ground water
18 wells as their primary potable water source. In developing such an ordinance, the local governing body
19 shall consider (i) the appropriate ground water constituents to be tested using the above standards as
20 guidance; (ii) the reasonable cost of such testing which may be borne by the applicant; and (iii) the
21 availability of certified laboratories to perform such services. However, no such test shall be conducted
22 by Consolidated Laboratories. The applicant shall be notified of the test results with respect to such
23 established standards.24 ~~C. The provisions of this act that relate to Virginia Beach shall expire June 30, 1996.~~25 **2. That an emergency exists and this act is in force from its passage.**

ENROLLED

HB597ER