

ORDINANCE #

Town of Goffstown

ORDINANCE OF THE Board of Selectmen

The Board of Selectmen of the Town of Goffstown ordain as follows:

- I. **TITLE:** This ordinance shall be known as the "Certificate of Occupancy Requirements-Water Quality" ordinance of the Town of Goffstown.
- II. **AUTHORITY:** RSA 147:1, RSA 41:14-b
- III. **DECLARATION OF PURPOSE:** The Town of Goffstown is supportive of development and expanded access to quality housing, but the town has a legitimate interest in protecting the public's health, safety and welfare. As such the purpose of this ordinance is to meet those goals by including basic water quality standards in the certificate of occupancy permit process for new development when serviced by private wells.

It is with the above purpose in mind that the Board of Selectmen hereby ordain that any person or company seeking a certificate of occupancy, must first obtain evidence that the associated private well meets minimum water quality standards.

IV. REQUIREMENTS:

- A. A permit must be obtained before any drinking well is installed, and must be accompanied by a scaled diagram of the location. Diagram must show existing or proposed subsurface disposal system on that and adjacent lots. The applicable fee as established by the Board of Selectmen shall accompany the application. The plan shall be submitted with the site address, map and lot number.
- B. In all new construction, prior to issuance of a Certificate of Occupancy, and in all well replacements, the applicant shall submit and/or provide a current water quality report from a laboratory accredited under the N.H. Environmental Laboratory Accreditation Program which shows the associated private well meets minimum Department of Environmental Services drinking water quality standards for the following contaminants: Bacteria, Chloride, Sodium, Iron, Manganese, pH, Hardness, Fluoride, Nitrate/Nitrite, Lead, Arsenic, Volatile Organic Compounds (VOC), and Radon.
- C. All test results shall be submitted to the Building Official, and meet minimum water quality standards prior to the issuance of a Certificate of Occupancy.

V. **ENFORCING AUTHORITY:** The Goffstown Building Official shall enforce the provisions of this ordinance.

VI. **WAIVERS:** The Board of Selectmen retains the authority to waive any provisions of this ordinance after due deliberation at a duly noticed meeting.

VII. **EXCLUSIONS:** The provisions of this ordinance shall not apply to the Town, its School District or other Town departments acting in their governmental capacity.

VIII. PENALTIES: Any person found to be in violation of this ordinance shall be guilty of a violation. Pursuant to RSA 502 A:11-a, the Circuit Court shall have jurisdiction over prosecution of said violation.

A. Fines may be up to the maximum allowed by law (\$1200.00)

B. All fines collected shall enure to The Town of Goffstown.

IX. SEVERABILITY: Should any provisions of this ordinance be declared invalid or unconstitutional by a court, such declaration shall not be deemed to affect any other section of this ordinance.

X. PROCEDURE: This ordinance shall take effect upon passage.

Public Hearing Dates: 7:00 pm on 2/12/18 and 2/26/18

Public Hearing Notices: Published in the Union Leader on 1/30/18;

Posted at: Town Hall, Library, and town website on 1/30/18

Adoption Date: 3/12/18

Effective Date: 3/12/18

XI. SIGNATURES:

BOARD OF SELECTMEN

Mark T. Lemay
Mark T. Lemay, Chairman

Collis Adams
Collis Adams, Vice Chairman

John Allen Brown
John Allen Brown

Peter Georgantas
Peter Georgantas

David W. Pierce
David Pierce

TOWN CLERK/NOTARY PUBLIC:

Kathryn M. Fisher

Date: 3/12/18

KATHRYN M. FISHER, Notary Public
State of New Hampshire
My Commission Expires September 21, 2021