

R:1-9 MANURE REGULATION ix

R:1-9.1 Purpose

Whereas:

- Manure storage can pollute ground and surface water
- Poor management practices can greatly increase contamination
- Improper management can contaminate lakes, streams, springs and wells
- Discharges of manure can contaminate water quality of ground and surface water.
- Surface and ground water resources within the Town of Topsfield contribute to the town's drinking water supply.
- The Town of Topsfield adopts the following regulation under its authority as specified in Section II, as a preventive measure for the purpose of preserving and protecting the Town of Topsfield's drinking water resources from contamination due to the improper management of manure storage.

R:1 9.2 Scope of Authority

The Town of Topsfield Board of Health adopts the following regulation pursuant to authorization granted by M. G. L. c.111, s.31, s.32 and s. 122. The regulation shall apply to all applicable facilities, existing and new, located with the Town of Topsfield.

R1-9.3 Standards

Protection of surface and groundwater includes the management of runoff and controlling physical access to surface water and watercourses. Watercourses are defined as wetlands, marshes, rivers, streams, lakes, ponds, bogs and brooks. The following standards must be adhered to with regard to the storage of manure:

- Establish a vegetated strip between manure storage and water resources
- Maintain a 100' vegetated buffer strip near water supply tributaries
- Maintain a minimum of 100' from any Wetland Resource Area.
- Maintain a minimum setback distance to perennial streams of 200'.
- No paddocks are to be constructed within 100' of a Wetland Resource Area.
- Manure should be stored in an area to restrict runoff or leaching to the ground. It must be a minimum of 25' from an abutting lot line and be capable of storing a minimum of 3-6 months of manure. No runoff of manure into wetlands, streams or abutting properties.
- All manure and other waste products should be removed at a minimum of 2 times/year.
- No spreading of manure between December 1st and April 1st or while ground is frozen.

R1-9.4 Requirements for Existing Facilities

All existing facilities that do not conform to this Regulation upon its adoption, must be in compliance with this regulation within 6 months from the implementation of this regulation. The Animal Inspector and/or Board of Health will conduct inspections to ensure compliance.

R1-9.5 Penalties

Failure to comply with provisions of this regulation will result in the levy of fines of not less than \$100.00, but not more than \$1000.00. Each day's failure to comply with the provisions of this regulation shall constitute a separate violation.

R1-9.6 Severability

Each provision of this regulation shall be construed as separate to the end that, if any provision, or sentence, clause or phrase thereof, shall be held invalid for any reason, the remainder of that section and all other sections shall continue in full force and effect.

R1-9.7 Effective Date

This regulation shall take effect on 7/29/2004. The vote of the Board of Health members was taken at a Public Hearing held on 6/24/2004 and continued to July 29, 2004.