

Chapter R:1

BOARD OF HEALTH

R:1-1 RULES AND REGULATIONS RELATIVE TO THE INSTALLATION AND MAINTENANCE OF PRIVATE WELL WATER SUPPLY.ⁱ

The Board of Health of the Town of Topsfield, Commonwealth of Massachusetts, acting under GLc 111~31, and with reference to GLc 40 ~54, in the interest of and for the protection of public health, established and adopted the following Rules and Regulations.

R:1-1.1 Definitions.

- a. The word "well," as used in these Regulations, shall include any pit, pipe, excavation, casing, drill hole or other private source of water to be used for the purpose of supplying potable water in the Town of Topsfield.
- b. The words, "water systems," as used in these Regulations, shall include pipes, valves, fittings, tanks, pumps, motors, switches, controls and appurtenances installed or used for the purpose of storage, distribution, filtration, treatment or purification of water for any use whether or not located inside of a building.

R:1-1.2 Wells.

- a. No well shall be installed until a permit has been issued by the Board of Health.
 1. No building permit shall be issued for the construction of a building which necessitates the use of water therein from a well located on the land where the building is to be constructed, until a well has been installed and the Board of Health has determined that a safe and adequate supply of potable water is available.
 2. Major renovation or repair of existing wells and/or water systems must be approved by the Board of Health before a permit will be issued.
- b. The well contractor shall observe reasonable sanitary measures and precautions in the performance of his work in order to prevent the pollution or contamination of the well.
 1. Newly constructed wells or wells where repair work has been done shall be thoroughly disinfected before being put into use.
 2. All abandoned wells shall be tightly sealed by approved methods or filled with clean earth or preferably clay to prevent pollution of the ground water.
 3. There shall be a separate well for each dwelling and it must be at least one hundred (100) feet from any septic tank or leaching field and set back a minimum of twenty-five (25) feet from all streets.
- c. Every well must supply adequate water for the purpose for which it is intended and shall give satisfactory evidence of continuing capability to do so.
 1. Before being approved, every well shall be pump tested by the well contractor. The results of the pump test shall be submitted on a form prescribed by the Board of Health and kept as a public record.
 2. In cases of new construction, the Board of Health will require the submission of a water analysis report to include a bacterial and chemical evaluation, by a laboratory approved by the Board of Health or the Massachusetts Department of Public Health before the issuance of a building permit.

(a) When the Board of Health requires the treatment of a water supply, a permit will be issued conditionally requiring an appropriate treatment facility to be installed and tested prior to a final approval of the water system.

R:1-1.3 Water Systems.

a. There shall be a separate water system for each dwelling, and it shall not be installed or materially altered hereafter until a permit has been issued by the Board of Health. The Board will require a description of the installation with each application for such permit. Emergency work for repairs or service of existing equipment not amounting to a substantial renovation or overhaul may be done without a permit.

1. The water pipe from the house to the well pit or pitless adapter and all wiring therefor shall be properly enclosed by a pipe or copper tubing, not lighter than Type L or otherwise an equal.

2. All pumps, motors and tanks shall be placed on a suitable foundation, and all equipment and parts of the system that may require adjustments or service shall be made readily accessible.

3. All pump houses, pump or pipe pits and wells shall be designed and constructed so as to prevent flooding and otherwise to prevent the entrance of pollutants or contaminants.

b. The Board of Health shall require the installation of all necessary switches, controls and devices, and the satisfactory performance of a pressure and operating test of the system before final approval; and the test must demonstrate that the system will deliver adequate pressure and volume consistent with the well and the well requirements. The Board of Health must be given reasonable notice of when the installation is ready for inspection.

c. No certificate of occupancy shall be issued until all the provisions of these Regulations have been met. The required inspections and these regulations cannot be construed as a guarantee by the Town of Topsfield, or its agents that the water system will function satisfactorily.

R:1-1.4 Penalties.

a. Any person who shall violate any provisions of these Regulations for which a penalty is not otherwise provided in any of the General Laws of The Sanitary Code shall upon conviction be fined not less than ten (\$10.00) dollars nor more than fifty (\$50.00) dollars.

R:1-1.5 Unconstitutionality Clause.

a. So far as the Board of Health may provide, each section of these Rules and Regulations shall be construed as separate to the end that if any section, item, sentence, clause or phrase shall be held invalid for any reason, the remainder of these rules and regulations shall continue in full force and effect.

R:1-1.6 Effective Date.

a. This regulation shall take effect July 1, 1987.

ⁱ Editor's Note: Originally adopted on January 1, 1970 as Member of BTW Health District; accepted as Valid Regulations in January, 1987 by the Board of Health for the Town of Topsfield, March 16, 1987; Effective date: July 1, 1987.