

ORDINANCE 2016-08

An Ordinance Relative to a Restriction on Removing Water from Public Bodies of Water for Commercial Use

First Reading: 10/17/16
Second Reading/Public Hearing: 11/07/16
Adopted: 11/07/16

WHEREAS On Friday, September 16, 2016, the New Hampshire Department of Environmental Services (“NHDES”) advised Town of Londonderry Town Manager Kevin Smith that drought conditions in the State of New Hampshire are sufficiently severe that NHDES is requesting that municipalities use their statutory authority under RSA 41:11-d to enact town-wide lawn watering bans for both private and public wells; and

WHEREAS As of September 1, 2016, NHDES has classified the Town of Londonderry as a municipality suffering from “severe” or “extreme” drought conditions; and

WHEREAS RSA 41:11 allows municipalities through their governing bodies to establish restrictions on the use of water from private wells or public water systems for residential outdoor lawn watering when a drought condition has been declared; and

WHEREAS the Town of Londonderry previously imposed a mandatory restriction on the watering of all residential lawns; and

WHEREAS concerns have been raised about the impact on the Town of Londonderry’s public bodies of water and its other natural resources from landscaping and other businesses withdrawing water from public bodies for commercial use; and

WHEREAS Portions of Londonderry are already under some restrictions as put in place by the public water supply companies.

NOW THEREFORE, the Town of Londonderry ordains by the Londonderry Town Council that, in response to the severe and extreme drought conditions and the impacts therefrom facing the residents of Londonderry, effective November 7th, 2016, a mandatory restriction on the withdrawal of water from public bodies of water for commercial use is imposed. Enforcement of this restriction shall be completed by any sworn officer of the Town of Londonderry Police Department, which is hereby granted the authority to initiate any enforcement action against any violator of this restriction. Any person failing to comply with the restriction shall be deemed in violation and subject to the following penalties pursuant to RSA 651:2: (1) a first violation, shall result in a warning; (2) a second violation shall result a \$250 fine; and (3) each succeeding violation shall result in a \$500 fine.

John Farrell, Chairman
Londonderry Town Council
(TOWN SEAL)

Sherry Farrell
Town Clerk

A TRUE COPY ATTEST: 11/07/16