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# TOWN OF PELHAM

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## **BOARD OF HEALTH WATER SUPPLY REGULATIONS – WELL ORDINANCE**

**Adopted May 16, 2000  
Amended February 20, 2001  
Amended June 5, 2001**

The Board of Health of the Town of Pelham, N.H., acting under RSA 147, has, in the interest of and for the preservation of the public health and to provide for adequate and safe wells, duly made and adopted, on May 16, 2000 the following regulations:

### SECTION 1: Definitions

1. **WELL:** Includes any pit, pipe, excavation, casing, drill hole or other source of water to be used for any purpose of supplying potable water in Pelham, N.H.
2. **WATER SYSTEM:** Includes 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 inside a building.
3. **DWELLING UNIT:** One (1) or more rooms arranged for living and sleeping purposes with cooking and sanitary facilities for the use of one (1) or more individuals living as a single housekeeping unit.
4. **NEW CONSTRUCTION:** A new dwelling which has not yet been granted a Certificate of Occupancy.

### SECTION 2: Wells

1. No well shall be installed for new construction until a building permit has been issued by the Health Officer. The fee for this permit shall be \$25.00.
2. The well contractor licensed under RSA 482-B shall observe reasonable sanitary measures and precautions in the performance of his/her work in order to prevent pollution of contamination of the well.
3. There shall be a separate well for each residential parcel.
4. All wells must be a minimum of 75 feet from all leaching fields, and set back a minimum of 50 feet from the nearest edge of all existing and future traveled ways and a minimum of 15 feet from all lot lines (to avoid property line encroachment). The well location must conform to RSA 485-A:30-b and Env-WS 1008.04 to 1008.06 as established by the New Hampshire Department of Environmental Services Water Supply and Pollution Control Division with regard to protective well radii.

SECTION 3: Capacities

1. 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.
2. All wells shall be pump tested regardless of depth to determine sustained yield. The sustained yield shall be not less than five gallons per minute over a two hour period. All results from pump testing must be certified by the tester and so evidenced on the well data sheet provided by the building department.

SECTION 4: Water system

All wells to be used as a water source shall be designed, constructed, and satisfy all requirements set forth in pertinent State of New Hampshire, Department of Environmental Services, Water Resource Management Bureau regulations as they exist, may be established, or may be amended in the future.

SECTION 5: Certificate of Occupancy

1. A completed well data report must be submitted by the well driller or his agent not later than the time of requesting a Certificate of Occupancy.
2. No certificates of occupancy will be issued until all the provisions of these regulations have been met or duly waived by the Board of Health in accordance with Section 6 of this ordinance. Well testing shall be done by a NH Certified Well Testing Lab, which lab shall actually collect the water samples to be tested. No certificate of occupancy will be issued until a water test has been received by the Code Enforcement Office; this test is for information purposes only. The test shall include, but not be limited to, the following:

Test	Units of Measurement
Total Coliform	Counts 100ML
Nitrate & Nitrite	mg/L
Iron	mg/L
Maganese	mg/L
Chlorides	mg/L
Arsenic	mg/L
Other Bacteria	mg/L
Turbidity	mg/L
Sodium	mg/L
PH	Units
Lead	mg/L
Hardness	mg/L
Screen Alpha	pCi/L
VOC Screen (Volatile Organic Compounds)*	
Radon	

**\*Please note that it takes approximately two weeks to get test results so plan accordingly.**

3. Upon written notification that a well has been drilled, the Health Officer shall, within 72 hours of receipt of said notice, make such inspection as he/she deems necessary.

4. The required inspections and these regulations cannot be construed as a guarantee by the Town of Pelham or its agents that the water system will function satisfactory.

**SECTION 6: Waivers by the Pelham Board of Health**

1. The Board of Health, on the advice of the Health Officer and in the event of hardship, may waive any requirement of this ordinance except: Section 2, paragraph 1 (permit fee), paragraph 2 (contractor taking reasonable precautions), and Section 5 (certificate of occupancy).

2. In considering waivers the Board of Health shall consider as a minimum:

- A. Consumer safety
- B. Other extenuating circumstances

3. The Board of Health can require conditions to waivers, including but not being limited to:

- A. Statements to be recorded in a deed
- B. Consumer notices

**SECTION 7: Separability Clause**

1. 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.

**SECTION 8:**

Where the requirements of State and Local Regulations differ, the more stringent shall govern. When the provisions herein specified conflict with those of other ordinances or regulations, the most stringent requirement shall apply.

**SECTION 9:**

Any person violating the provisions of this regulation shall be guilty of a violation. Each day of continuing to comply shall constitute a new offense.