

XXXV IN-GROUND IRRIGATION SYSTEMS BY-LAW

IN-GROUND IRRIGATION SYSTEMS BY-LAW Adopted at the Special Town Meeting April 28, 2003. Approved by the Attorney General August 21, 2003, and posted according to law August 29, 2003.

SECTION 1. Purpose.

The purpose of this bylaw is to establish requirements for the installation of in-ground irrigation systems, so as to protect the availability of water supplied by the Town of West Newbury Water Department through the municipal water system.

SECTION 2. Applicability.

All in-ground irrigation systems installed after the effective date of this bylaw will be required to comply with the following:

- (1) Installation of new in-ground irrigation systems and expansion of existing systems will be permitted only when the source of water supply is a private well owned and under the control of the property owner, or an organization of the owners of the property, using the well.
- (2) All wells installed for the purpose of this bylaw shall be subject to all state, federal or local approvals required for well installation, including but not limited to regulations administered by the Board of Health, the Conservation Commission, and the Building Inspector.
- (3) Installation and continued operation of such systems requires that there be no connection between the private water supply and the municipal water service. Separation using valves or removable sections of pipe is prohibited.
- (4) Irrigation systems sourced by private water supplies and operated as described herein shall not be limited to specific hours of operation, odd/even days of use, or other such water restriction, in the event of a Water Restriction declared by the Board of Water Commissioners.

SECTION 3. Exceptions.

This bylaw shall not be used to regulate in-ground irrigation systems installed on land used primarily and directly for the raising of fruits, vegetables, berries, nuts and other foods for human consumption, feed for animals, flowers, trees, nursery or greenhouse products, and ornamental plants and shrubs.