

**Model Ordinance to Designate Municipal Aquifer Protection Agency  
(The municipality is not required to follow this format, it is a sample only.)**

PROPOSED ORDINANCE NUMBER \_\_\_\_\_  
CONCERNING THE DESIGNATION OF THE \_\_\_\_\_ AS THE TOWN'S  
AQUIFER PROTECTION AGENCY

WHEREAS, Section 22a-354o of the Connecticut General Statutes ("Conn. Gen. Stat.") provides that each municipality in which an aquifer protection area is located shall authorize by ordinance an existing board or commission to act as an aquifer protection agency; and

WHEREAS, it has been determined that it is in the best interest of the town of \_\_\_\_\_ to designate the  [name of board/commission]  as the town's aquifer protection agency.

NOW THEREFORE BE IT ORDAINED BY THE TOWN OF \_\_\_\_\_  
THAT:

(1) Designation and membership

- (a) In accordance with the provisions of Conn. Gen. Stat. §22a-354a, *et seq.*, the  [name of board/commission]  is hereby designated as the Aquifer Protection Agency (hereinafter the "Agency") of the town of \_\_\_\_\_. [The staff of the \_\_\_\_\_ shall serve as the staff of the Agency.]
- (b) Members of the \_\_\_\_\_ shall serve coexisting terms on the Agency. The membership requirements of the Agency shall be the same as those of the \_\_\_\_\_ including, but not limited to the number of members, terms, method of selection and removal of members, and filling of vacancies.
- (c) At least one member of the Agency or staff of the Agency shall complete the course in technical training formulated by the Commissioner of Environmental Protection of the State of Connecticut, pursuant to Conn. Gen. Stat. § 22a-354v.

(2) Regulations to be adopted<sup>1</sup>

- (a) The Agency shall adopt regulations in accordance with Conn. Gen. Stat. § 22a-354p and R.C.S.A. § 22a-354i-3. Said regulations shall provide for:

---

<sup>1</sup> *Procedures for adoption of local regulations of requires a local public hearing and public notice requirements in accordance with CGC §22a-354p(b) to allow opportunity for the public to be heard. Also approval by the DEP Commissioner is required in accordance with CGC §22a-354p(f) and R.C.S.A. § 22a-354i-3. The DEP approval requires a determination that the regulations are not inconsistent with the State Land Use Regulations, are reasonably related to groundwater, and shall not be deemed inconsistent if they provide a greater level of protection.*

- (i) The manner in which boundaries of aquifer protection areas shall be established and amended or changed.
- (ii) Procedures for the regulation of activity within the area.
- (iii) The form for an application to conduct regulated activities within the area.
- (iv) Notice and publication requirements.
- (v) Criteria and procedures for the review of applications.
- (vi) Administration and enforcement.

(3) Inventory of Land Use<sup>2</sup>

- (a) In order to carry out the purposes of the Aquifer Protection Program, the Agency will conduct an inventory of land use within the area to assess potential contamination sources.
- (b) Not later than three months after approval by the Commissioner of the Connecticut Department of Environmental Protection of Level B Mapping of aquifers, the Agency will inventory land uses overlying the mapped zone of contribution and recharge areas of such aquifers in accordance with guidelines established by the Commissioner pursuant to Conn. Gen. Stat. § 22a-354f. Such inventory shall be completed not more than one year after authorization of the Agency. [Conn. Gen. Stat. § 22a-354e]

Attachments:

- 1. CGS §22a-354p(b) & (f) and R.C.S.A. §22a-354i-3 Public Hearing and Notice Requirements for Adoption of Regulations, and DEP Approval.

---

<sup>2</sup> *This requirement is essentially done. The majority of inventories were completed by DEP in 2000. The purpose of the inventories is to give a general assessment of the areas and to provide a starting point for informing potentially regulated facilities of the program requirements. Towns should consider this a good baseline and update it to reflect current conditions.*