

**ORDINANCE NO. BH-1-22**

**AN ORDINANCE TO AMEND CHAPTER 262,  
WATER SUPPLY SYSTEMS, INDIVIDUAL,  
SECTION 262-9 OF PART III,  
BOARD OF HEALTH LEGISLATION,  
OF THE CODE OF THE BOROUGH OF CHESTER**

**WHEREAS**, the Board of Health of the Borough of Chester (the “Board”) has adopted regulations regarding the testing of individual water supply systems; and

**WHEREAS**, the Board wishes to update the aforesaid regulations and assure their consistency with applicable State requirements, including the Private Well Testing Act, N.J.S.A. 58:12A-26 et seq. (the “PWTA”) and its implementing regulations, N.J.A.C. 7:9E-1.1 et seq. (the “PWTA Rules”).

**NOW THEREFORE BE IT ORDAINED**, by the Board of Health of the Borough of Chester, as follows:

**SECTION 1.** Section 262-9, Subsection C, Paragraph (4), Subparagraph 4(b) of Chapter 262 of Part III of the Code of the Borough of Chester is amended to read as follows:

(4)(b) Water quality. The water produced by the individual water supply system shall be sampled in accordance with the Private Well Testing Act (PWTA) Rules for the parameters set forth in N.J.A.C. 7:9E-2.1 (or any successor provision thereto). The samples shall be analyzed and the results reported in accordance with the PWTA Rules. The analytical results for each sampled parameter shall demonstrate compliance with the applicable Maximum Contaminant Level (MCL), Recommended Limit, or Action Level established under the Safe Drinking Water Act, N.J.S.A. 58:12A-1 et seq. (the “SDWA”), and its implementing regulations, N.J.A.C. 7:10 (the “SDWA Rules”). In the event that the analytical results do not demonstrate compliance for one or more parameters subject to the PWTA Rules, one or more water treatment systems shall be utilized to achieve and demonstrate post-treatment compliance.

**SECTION 2.** The Secretary of the Board of Health is hereby directed to comply with the requirements of N.J.S.A. 26:3-66b regarding publication of this Ordinance with notice

of the time and place when and where the Board of Health will consider final passage of this Ordinance at least two days prior to final passage.

**SECTION 3.** The Secretary of the Board of Health is hereby directed to comply with the requirements of N.J.S.A. 26:3-66c by posting a copy of this Ordinance on the bulletin board of the municipal offices of the Borough of Chester.

**SECTION 4.** The Secretary of the Board of Health is hereby directed to comply with the requirements of N.J.S.A. 26:3-67 regarding publication of this Ordinance after its final passage.

**SECTION 5.** This Ordinance may be renumbered for codification purposes.

**SECTION 6.** All provisions of Part III of the Code of the Borough of Chester which are inconsistent with the provisions of this Ordinance are hereby repealed or amended to the extent of such inconsistency.

**SECTION 7.** If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the remaining portions of this Ordinance.

**SECTION 8.** This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

### **LEGAL NOTICE OF PENDING ORDINANCE**

**NOTICE IS HEREBY GIVEN**, that the foregoing Ordinance was introduced in writing at a meeting of the Board of Health of the Borough of Chester, County of Morris and State of New Jersey, held on the 2nd day of November, 2022, introduced and read by title and passed on the first reading and that the said Board of Health will further consider the same for second reading and final passage thereon at a meeting to be held on the 14th day of December, 2022, at 7:00 p.m., prevailing time, at the Municipal Building in said Borough, at which time and place a

public hearing will be held thereon by the Board of Health and all persons and citizens in interest shall have an opportunity to be heard concerning same.

INTRODUCED: November 2, 2022

ADOPTED: December 14, 2022

Attest:

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Dena Dziergoski  
Secretary of the Board of Health

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Mayor Janet Hoven

EFFECTIVE DATE: