

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
THE TOWN OF NORTH SMITHFIELD**

**AN ORDINANCE OF THE TOWN COUNCIL  
REGARDING GROUNDWATER WELLS NEAR STAMINA MILL SITE**

It is ordained by the Town Council of the Town of North Smithfield as follows:

That the Code of Ordinances shall be amended to add Chapter 8, Article V, to read as follows:

**SECTION 1. Legislative Findings and Purpose**

It is here declared that the public health and safety requires the cessation of well construction and well pumping activity within an area here defined as the Stamina Mill Remediation District. The scope of this district has been delineated by the United States Environmental Protection Agency as that area, due to groundwater patterns and proximity to the Stamina Mill Superfund site on School Street in Forestdale, North Smithfield, whose well pumping activities have the potential capacity to draw contaminants from the groundwater affected by the site. Furthermore, each lot in the delineated area has, for many years, been connected to a primary public water supply.

**SECTION 2.** No person shall install, construct or connect a groundwater well in any location within the Stamina Mill Groundwater Remediation District as defined on the attached maps, and attached schedule of included lots.

**SECTION 3.** No person shall use, pump from or in any way operate a groundwater well in any location within the Stamina Mill Groundwater Remediation District as defined on the attached map, and attached schedule of included lots.

**SECTION 4.** The Building Inspector is authorized to enforce the provisions of this chapter and to institute such proceedings, including proceedings to enjoin the above prohibited activities within the Stamina Mills Groundwater Remediation District, as necessary to effectuate the requirements of this chapter.

**SECTION 5.** Any person, firm, corporation or other entity who knowingly violates Sections 2 or 3 hereof shall be subject to a fine of not less than two hundred and fifty dollars (\$250.00), nor more than five hundred dollars (\$500.00). Each and every violation of this ordinance, and each and every day the violation continues or is repeated, shall constitute a separate offense. All such fines shall inure to the benefit of the town.

**SECTION 6.** The Building Inspector shall give copies of any violations issued pursuant to Section 4 or 5 above to (a) the Project Manager of the Stamina Mill Superfund Site, Office of Waste Management, Rhode Island Department of Environmental Management (RIDEM), 235 Promenade St., Providence, RI 02908, and (b) the Remedial Project Manager for the Stamina Mills Superfund Site, US Environmental Protection Agency (EPA) 1 Congress St., Suite 1100, Boston, MA 02114-2023, and shall provide written notice to the above of the repeal or modification of this ordinance or of any judicial decision that repeals or modifies this ordinance. The Building Inspector shall also

provide to RIDEM and EPA an annual report on September 1 of the number and nature of violations in the prior year ending June 30. The Building Inspector may consult with and coordinate with RIDEM and EPA concerning the management of this ordinance.

**SECTION 7.** This ordinance shall not apply to any investigative monitoring well installed by or at the request or order of any federal, state, or local governmental authority.

**SECTION 8.** The Town Administrator shall request from the EPA, following the next EPA five-year review, and no later than January 1, 2011 substantiation of the continued necessity of this ordinance.

**SECTION 9.** This ordinance shall take effect on the date of passage in accordance with the Town Charter. There are two (2) attachments to the ordinance. One is a revised map of what the ordinance will include as well as a list with the involved lots affected by the ordinance.

Approved in form:   
Mark C. Hadden, Town Solicitor

Received by Town Clerk:  Date: April 19, 2006  
Debra A. Todd

Posted Date: April 19, 2006

First Reading: May 1, 2006

Second Reading: May 15, 2006

Flaherty  Thibault  Yazbak  Zwolenski  Lovett  

Approved by Town Administrator:   
Robert B. Lowe