

In the City Council, May 18, in the Year Two Thousand and Seventeen
Upon the recommendation of Councilor Dennis Bidwell, Councilor William Dwight, Councilor
Marianne LaBarge, and the Northampton High School Environmental Club

R-17.311
A Resolution

**To have Northampton, Massachusetts Become a Blue Community
and in Support of Clean and Safe Water in Massachusetts**

WHEREAS, water is central to the very existence, health, and sustenance of people plants and animals and therefore must be protected for the common good from generation to generation; and

WHEREAS, Article 97 of the Massachusetts Constitution states that “the people shall have the right to clean air and water”; and

WHEREAS, on July 28, 2010, the United Nations General Assembly passed a resolution recognizing the human rights to water and sanitation; and

WHEREAS, on September 23, 2011, the United Nations Human Rights Council passed a resolution on the human right to safe drinking water and sanitation and called on governments to take concrete action by developing plans of action, establishing monitoring and accountability mechanisms, and ensuring affordable services for everyone; and

WHEREAS, the waters of the Connecticut River Watershed in and surrounding Northampton are recognized as a precious water resource by the Commonwealth of Massachusetts and serve as a public common for the use and enjoyment by current and future residents and citizens: and

WHEREAS, water is a common resource held in trust by Northampton for the health, safety, general welfare, and benefit of its residents and citizens, and

WHEREAS, protection of water as a public commons assures community resilience and the ability to adapt to climate change effects and ecological and human impacts; and

WHEREAS, Northampton, Massachusetts operates and maintains a regulated and sophisticated water treatment and distribution system that meets some of the most stringent water quality requirements in the world; and

WHEREAS, Northampton has protected regional public water supplies and aquifers by fee ownership, conservation restriction and protective zoning of over 12,400 acres of land in the watersheds of the reservoirs of Northampton and adjacent communities, and has legislated that the integrity of the natural waters and public water supplies will be protected in quality and quantity from pollution, impairment, waste, as well as from transfer or alienation for primarily private benefit, or from interference, or control; and

WHEREAS, in May 2016 the Northampton City Council passed ordinance 16.034, AN ORDINANCE RELATIVE TO PUBLIC OWNERSHIP OF NORTHAMPTON'S WATER RESOURCES that establishes as law that, "The public water resources and infrastructure of the City of Northampton, including systems and facilities related to the supply, storage, treatment and distribution of water, shall be owned and/or controlled by the City of Northampton and shall not be sold, leased or transferred into private ownership"; and

WHEREAS, the regulatory requirements for monitoring water quality contained in single-use bottled water are not as stringent as those required by Northampton, Massachusetts; and

WHEREAS, single-use bottled water is substantially more expensive than water from the tap in Northampton, Massachusetts, even though such bottled water may originate from municipal water systems; and

WHEREAS, packaging and distribution of single-use bottled water has air quality and climate change impacts, consumes resources such as oil to manufacture plastic bottles and fuel to transport bottled water to the consumer, and creates unnecessary recycling and waste disposal costs; and

WHEREAS, the tap water in Northampton, Massachusetts is safe, healthy and accessible to residents and visitors, is readily available at most indoor public facilities, and is more sustainable than bottled water; and

WHEREAS, when access to municipal tap water does not exist, bottled water can be an appropriate alternative; and

WHEREAS, testing of drinking water for lead in schools and childcare facilities, while it is the practice of the City of Northampton, is not currently required by law; and

WHEREAS, the Massachusetts Department of Environmental Protection has not been adequately funded, leading to a 25% reduction in enforcement, compliance, and environmental monitoring staff over the last decade, and an especially sharp decline in inspections and enforcement actions by the Department since Governor Baker took office in 2015.

NOW THEREFORE BE IT RESOLVED that the City Council of Northampton, Massachusetts calls on the state government, as trustee of the local watersheds, to apply public trust principles to guide long-term natural resource stewardship and management, to protect the paramount interests of the public over those of private entities, and to uphold public trust law for the protection of these waters and for the benefit of current and future generations.

BE IT FURTHER RESOLVED that Northampton, Massachusetts recognizes and affirms that water and sanitation services are fundamental human rights.

BE IT FURTHER RESOLVED that Northampton calls on the federal government to enshrine the human rights to water and sanitation in law and on the Commonwealth to live up to the right to clean water written in our State Constitution in its budgets and practices.

BE IT FURTHER RESOLVED that, by passing this resolution, the Northampton City Council calls upon the Government of the United States to develop a national plan of action to implement the human rights to water and sanitation.

BE IT FURTHER RESOLVED that where access to municipal tap water exists, single-use bottled water should no longer be sold in municipal facilities, from municipally-owned or municipally-administered concessions, or from vending machines in public facilities.

BE IT FURTHER RESOLVED that single-use bottled water should no longer be purchased and provided at municipal meetings or events where access to municipal water exists.

BE IT FURTHER RESOLVED that the availability of water jugs or dispensers with municipal water should be increased at municipally-organized meetings and events.

BE IT FURTHER RESOLVED that water bottle filling stations should be installed in municipal facilities and parks whenever and wherever feasible.

BE IT FURTHER RESOLVED that local businesses and institutions should be encouraged to install water bottle filling stations, and to promote their use as an alternative to single-use bottled water.

BE IT FURTHER RESOLVED that a public awareness campaign should be developed to support the rationale for these changes, and included in future Northampton celebrations of National Public Works Week.

BE IT FURTHER RESOLVED that Northampton welcomes the opportunity to be designated the first “Blue Community” in the United States by the Council of Canadians and the Blue Planet Project.

BE IT FURTHER RESOLVED that The City Council supports Senate Bill 456, “An Act ensuring safe drinking water at schools and early childhood programs,” which requires all local public water systems to test schools for lead.

BE IT FURTHER RESOLVED that the Northampton City Council calls on the Governor and the Legislature to provide the funds necessary for the Department of Environmental Protection to carry out its mission.

BE IT FURTHER RESOLVED that copies of this resolution should be sent to the Governor of the Commonwealth, United States Senators and Congressmen from Massachusetts, and members of the State Legislature from districts containing Northampton and to the co-chairs of the legislature's Joint Committee on Environment, Natural Resources and Agriculture.

BE IT FURTHER RESOLVED that the city should appoint a task force to develop an implementation schedule with an assessment of access to tap water at municipal facilities, which shall provide a progress report to the City Council and the Mayor on an annual basis.