

From: Toma, Michael  
Sent: Wednesday, March 21, 2018 9:33 AM  
To: Stella, Jeffrey; Rosenson, Valerie  
Cc: Emmett, Kathryn; Isidro, Judith  
Subject: Well Water Testing

The Public Health and Safety Committee has asked the Law Department whether the City can require labs that test private wells to share the test results with the City.

The State Legislature, at C.G.S. §19a-37, has addressed when labs are required to share the results of tests of private wells with the City: the test results are only required to be shared when the test was conducted in connection with the sale of the property. Because the State has legislated on the precise issue of when test results must be shared with a municipality, the State has preempted the ability of a municipality to pass legislation covering this same subject. As the statute only requires the sharing of test results in connection with the sale of the property, the City cannot require test results to be shared when there is no sale of property.

Michael S. Toma, Esq.  
Assistant Corporation Counsel  
City of Stamford  
888 Washington Boulevard  
Stamford, CT 06904  
203-977-5766