

OCTOBER 21, 2019
FALL SPECIAL TOWN MEETING WARRANT ARTICLE:
NON-CRIMINAL DISPOSITIONS

Article 1.

To see if the Town will vote to adopt the following Enforcement bylaw to be added as a new Article in Chapter 1 of the Pelham Code.

Any- bylaw of the Town of Pelham, or rule or regulation of its officers, boards or departments, the violation of which is subject to a specific penalty, may, in the discretion of the Town official who is the appropriate enforcing person, be enforced in the non-criminal disposition method provided in Section 21D of Chapter 40 of the Massachusetts General Laws. The non-criminal penalty for each violation, if not otherwise specified in such by-law, rule or regulation, shall be \$75.00 for the first violation, \$125 for the second violation, and \$175 for the third and subsequent violations. Each day that a violation exists shall constitute a separate offense.

“Enforcing person” as used in this by-law shall mean: The Town of Pelham police and fire chiefs or their designees; the Building Inspector and his/her designee; the members of the Board of Health, its Health Agent or other designee; the Conservation Commission; the Planning Board; the Zoning Board of Appeals; the Select Board or its designee; and such other officials as the Select Board from time to time designate, each with respect to the violation of by-laws, rules, and regulations within their respective jurisdictions. If more than one official has jurisdiction in a given case, any such official may be the enforcing person with respect thereto.