

On March 7th, 2024 the Edgartown Waste Water Commission held a special meeting to discuss, among other items, changes to the penalties as written in **Article VIII Penalties** of the Town of Edgartown Sewer Rules and Regulations. After discussion of the proposed changes to Article VIII Penalties section of the Sewer Rules and Regulations the following changes, see below, were adopted. A copy of the rule changes is available on the Town of Edgartown's website on the Wastewater Department page and at the Town Clerk's office.

ARTICLE VIII

PENALTIES

SEC. 1 NOTICE OF VIOLATION

Any person found to be violating any of these rules and regulations except **ARTICLE V** shall be served by the Town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

SEC. 2 CONTINUING VIOLATION

Any person who shall continue any violation beyond the time limit provided for in the notice sent under **ARTICLE VIII, SEC.1** shall be subject to a civil penalty as provided for by G. L. c. 83, § 10 not exceeding \$5,000.00 for each day of a violation of a rule or regulation. Civil penalties shall be assessed in accordance with the fine schedule set out in Section 5, which may be amended from time to time. (See M.G.L. c. 83, Sec. 10).

SEC. 3 TERMINATION OF SERVICE

Any person violating any of the provisions of these rules and regulations shall become liable to the Town for any expense, loss, or damage occasioned the Town by reason of such violation and subject to termination of the sewer service.

SEC. 4 VIOLATION OF SEPTAGE ACCEPTANCE POLICIES Any person/company found violating any provisions of **ARTICLE XV** such as but not limited to discharging septage into the collection system without prior approval, or discharging waste from another town without prior approval shall immediately lose the ability to use the Edgartown facility for a period of 30 days for the first offense, as well as a \$ 1,000.00 fine, 90 days for the second, as well as a \$ 2,500.00 fine, and 180 days for the third, as well as a \$ 5,000.00 fine. Violations beyond this and violations that occur during a suspension shall result in criminal charges being brought against such individual or company.

SEC. 5 FINE SCHEDULE

For One (1) to Thirty Days (30) – a fine of up to one thousand dollars (\$1000.00) for each violation.

For Thirty-One (31) to Sixty Days (60) – a fine of up to twenty-five hundred dollars (\$2500.00) for each violation.

For Sixty-One (61) to Ninety Days (90) – a fine of up to five thousand dollars (\$5000.00) for each violation.

For violations exceeding Ninety Days (91 or more days) – maximum fine of five thousand dollars (\$5000.00) for each violation or Termination of Service.

