

ARTICLE 42: WATER DEPARTMENT

Section 4. Declaration of Water Emergency. The Board of Water Commissioners, pursuant to the provisions of Chapter 21G, Sections 15, 16, and 17 of the General Laws, may petition the Department of Environmental Protection for a declaration of a state of water emergency. Upon receiving such petition, the Department may declare a state of water emergency if it finds that there exists or impends a water supply shortage of a dimension which endangers the public health, safety or welfare. During a state of emergency, the Department is empowered to issue orders, to establish priorities for the distribution of any water or quantity of water use, make restrictions in the use of water, or require implementation of specific water conservation measures. The Department may amend the declaration or terminate the state of water emergency upon a finding that the public health, safety or welfare is no longer endangered by a water supply shortage in part or all of the area to which the emergency had been made applicable.

Section 5. Declaration of State of Water Supply Conservation. The Board of Water Commissioners may declare a state of water supply conservation upon a determination by the Board that a shortage of water exists and conservation measures are appropriate to ensure an adequate supply of water to all consumers. Public notice of a state of water conservation shall be given under Section 6 of this by-law before it may be enforced. A declaration of water supply conservation shall include one or more restrictions limiting the use of water. The applicable restrictions shall be included in the public notice given under Section 6 hereof.

Section 6. Public Notification of State of Water Supply Conservation. Notice of the declaration of a state of water supply conservation by the Board of Water Commissioners shall be given by publication thereof in a newspaper of general circulation within the Town or by such other means reasonably calculated to reach and inform all users of water. The notice shall include the nature of the restrictions imposed. Any such restriction shall not become effective until this notice is provided. Notice of such declaration shall also be given simultaneously to the Department of Environmental Protection. The state of water supply conservation shall be terminated by the Board when it is determined that the water supply shortage no longer exists. Notice of such termination shall be given in the same manner provided in Section 6 hereof.

Section 7. Penalty. Any person violating the provisions of this by-law or violating any order issued by the Department of Environmental Protection under the declaration of water emergency or any order issued by the Board of Water Commissioners under its declaration of a state of water supply conservation shall be subject to a fine of fifty dollars (\$50.00) for the first offense and one hundred dollars (\$100.00) for each subsequent offense. Each day of violation shall constitute a separate offense. Such fines shall be assessed in accordance with the provisions for the noncriminal disposition of violations contained in General Laws Chapter 40, Section 21P and in Article 46 of these by-laws. The Board of Water Commissioners, its employees and any police officer shall have the authority to enforce this by-law.