

ARTICLE 80

WATER SUPPLY PROTECTION

Section 1 Authority

This by-law is adopted by the Town of Natick under its home rule powers, its police powers to protect public health and welfare and its specific authorization under Sections 21 and 21D of Chapter 40 of the General Laws.

Section 2 Purpose

The purpose of this by-law is to protect, preserve, and maintain the public health, safety and welfare whenever there is in force a state of water supply emergency by providing for enforcement of any duly imposed restrictions, requirements, provisions or conditions imposed by the Town or by the Department of Environmental Protection and included in the Town's plan approved by the Department of Environmental Protection to abate the emergency.

Section 3 Definitions

For the purpose of this by-law:

Enforcement authority shall mean the Town's Select Board or its designee, or other Department or Board having responsibility for the operation and maintenance of the water supply, the Health Department, the Town police, special police, and any other locally designated body having police powers.

State of water supply emergency shall mean a state of water supply emergency declared by the Department of Environmental Protection pursuant to Chapter 21G and Section 160 of Chapter 111 of the General Laws.

Section 4

The following shall apply to all users of water supplies supplied by the Town:

Following notification by the Town of the existence of a state of water supply emergency, no person shall violate any provision, condition, requirement or restriction included in a plan approved by the Department of Environmental Protection which has as its purpose the abatement of a water supply emergency.

Notification of any provision, restriction, requirement, or condition with which users of water supplied by the Town are required to comply to abate a situation of water supply emergency shall be sufficient for purposes of this by-law if it is published in a newspaper of general circulation within the Town or by such other notice as is reasonably calculated to reach and inform all users of the Town supply.

The Select Board is hereby authorized to promulgate rules and regulations, and amendments thereto, regarding protection of the Town of Natick's public water supply system, including without limitation preventing of cross connections, unauthorized use of fire hydrants, and tampering of water meters or any other part of the Town of Natick public water supply system.

Section 5 Penalty

Any person or entity who violates this by-law shall be liable to the Town in the amount of \$50.00 for the first violation and \$100.00 for each subsequent violation which shall inure to the Town for such uses as the Select Board may direct. Fines shall be recovered by complaint before the District Court or by noncriminal disposition in accordance with Section 21D of Chapter 40 of the General Laws. Each separate instance of noncompliance following issuance of any warning or citation pursuant to this section shall constitute a separate violation.

Section 6 Severability

The invalidity of any portion or provisions of this by-law shall not invalidate any other portion, provision or section hereof.