

**ARTICLE XXXVI
WATER SUPPLY EMERGENCY**

AUTHORITY: This Article is adopted by the Town of Holliston under its home rule powers, its police powers to protect public health and welfare and its specific authorization under General Laws Chapter 40, Section 21(7), and 21D.

PURPOSE: The purpose of this Article 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 duly imposed restrictions, requirements, provisions or conditions imposed by the Town of Holliston or by the Department of Environmental Protection and included in the Town of Holliston plan approved by the Department of Environmental Protection to abate the emergency or by any other duly authorized local, state or federal governmental body or officer.

DEFINITIONS: For the purpose of this Article, the following terms shall have the meanings indicated:

ENFORCEMENT AUTHORITY- The Town of Holliston Board of Water Commissioners and Superintendent of Water having the 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 - A state of water supply emergency declared by the Department of Environmental Protection pursuant to General Laws Chapter 21G, Section 15 and General Laws Chapter 40, Section 41A, or by the Governor or any other duly authorized local, state or federal governmental body or official.

EMERGENCY PROTECTIONS - The following shall apply to all users of water supplies supplied by the Town of Holliston.

- A. Following notification by the Town of Holliston of the existence of a state of water supply emergency, no person shall violate any provisions, condition, requirements or restriction included in a plan approved by Department of Environmental Protection which has as its purpose of abatement of a water supply emergency.
- B. Notification of any provisions, restrictions, requirements or conditions with which users of water supplied by the Town of Holliston are required to comply to abate a situation of water emergency shall be sufficient for purposes of this Article if it is published in a newspaper of general circulation within the Town of Holliston or by such other notice as is reasonably calculated to reach and inform all users of the Town of Holliston water supply.
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Stage 1	Voluntary	2.5 M.G.D. pumping rate
Stage 2	Voluntary	When pumping rate reaches
	Odd Even	2.6 M.G.D.
Stage 3	Mandatory	When pumping rate reaches
	Odd Even	2.8 M.G.D.
Stage 4	Total Water Ban	When pumping rate reaches
		3 M.G.D. with low tank levels

All conditions due to heat waves, drought, or other water emergency deemed necessary by Board of Water Commissioners.

VIOLATIONS AND PENALTIES:

A. CRIMINAL COMPLAINT: Any person who violates any provision of this by-law may be penalized by indictment or on complaint brought in the district court. Except as may be otherwise provided by law and as the district court may see fit to impose, the maximum penalty for each violation, or offense, brought in such manner, shall be three hundred dollars. Each day or portion thereof shall constitute a separate offense. Each condition violated shall constitute a separate offense.

B. NONCRIMINAL DISPOSITION . Any person who violates any provision of this by-law may be penalized by a noncriminal disposition as provided in General Laws Chapter 40, Section 21D. If noncriminal disposition is elected, then any person who violates any provision of this by-law shall be subject to a penalty in the amount of a warning for the first offense, one hundred dollars (\$100) for the second offense, and two hundred dollars (\$200) for each subsequent offense. Each day or portion thereof shall constitute a separate offense. Each condition violated shall constitute a separate offense. This by-law may be enforced pursuant to General Laws Chapter 40, Section 21D, by any officer or board authorized pursuant to Section 4 of this Article.