



Commonwealth of Massachusetts
 City/Town of
Title 5 Enforcement Order

Form 8

DEP has provided this form for use by local Boards of Health if they choose to do so.

A. Enforcement Information

FROM Name _____

TO Name _____

Date of Issuance _____

On-Site System Location (Street Address) _____

City/Town _____ State _____ Zip Code _____

Address of Owner (if different from location):

Street Address _____

City/Town _____ State _____ Zip Code _____

Telephone Number _____

Extent and Type of Activity in Violation of the State Environmental Code, 310 CMR 15.000 (Title 5):

B. Determination

Approving Authority _____

Has determined that the activity described above is in violation of the State Environmental Code, 310 CMR 15.000, because:

- The system is failing to protect public health and the environment. _____ Date _____
- The system has not been maintained in accordance with the Certificate of Compliance issued on: _____ Date _____
- The system is being installed or was installed in noncompliance with the Disposal System Construction Permit issued on: _____ Date _____
- Other (specify): _____



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C. Enforcement Order

Approving Authority

Hereby Orders pursuant to M.G.L. c. 111, sec. 124, the following action:

Describe required compliance and specify provision of Title 5 or local regulation to be complied with:

Failure to comply with this Order may constitute grounds for legal action. M.G.L. c. 21A, sec. 13 provides: "Local Boards of Health shall enforce [the Environmental] Code in the same manner in which local health rules and regulations are enforced."

M. G. L. c. 111, sec. 31 provides: "Whoever, himself or by his servant or agent, or as the servant or agent of any other person or any firm or corporation, violates any reasonable health regulation, made under authority of this section, for which no penalty by way of fine or imprisonment or both, is provided by law, shall be punished by a fine of not more than two hundred dollars."

Every day in which said violation continues shall be considered a separate offense.

Appeals from Determinations by Local Approving Authority (310 CMR 15.421)

"Any person aggrieved by any order, variance, issuance or denial of a Disposal System Construction Permit, Local Upgrade Approval or Certificate of Compliance issued by a local approving authority may appeal to any court of competent jurisdiction as provided for by the laws of the Commonwealth of Massachusetts."

Issued By:

For:

Signature