

ARTICLE V
Administration and Enforcement

§ 200-16. Enforcement.

This Zoning Bylaw shall be enforced by the Building Inspector who may require the submission of plans, specifications and other information which he deems to be necessary to determine compliance with its provisions.

§ 200-17. Building permit required.

- A. No structure shall be constructed, reconstructed, enlarged, altered, moved, removed or demolished without obtaining a building permit. The Building Inspector shall withhold such building permit if the building or structure as constructed, reconstructed, enlarged, altered or moved would be in violation of any provision of this Zoning Bylaw.
- B. Any amendment to this Zoning Bylaw shall apply to building permits issued after the first notice of public hearing on such amendment.

§ 200-18. Certificate of compliance.

- A. No building hereafter erected shall be used or occupied in whole or in part until a certificate of compliance has been issued by the Building Inspector. The certificate of compliance shall not be issued until all work has been completed in accordance with the provisions of the approved permits and of the applicable sections of this Zoning Bylaw.
- B. No use of a structure, a lot or a portion of a structure or a lot shall be commenced or changed without the issuance by the Building Inspector of a certificate of compliance. The certificate of compliance shall not be issued unless the Building Inspector is satisfied that the proposed use will be in conformity with the applicable sections of this Zoning Bylaw.

§ 200-19. Other approvals required.

- A. The Building Inspector shall not issue a building permit until he is satisfied that all necessary variances, special permits or extensions, modifications or renewals thereof have been granted.
- B. The Building Inspector shall not issue a building permit for any lot that falls within a subdivision until advised in writing by the Community Planning Commission that said lot has been released from the covenant imposed by said Commission in connection with the approval of the subdivision plan.

§ 200-20. Permit time limits.

- A. Any building permit issued by the Building Inspector shall become invalid unless the work authorized by it shall have been commenced within six (6) months after its issuance, or if the work authorized by such permit is suspended for a period of one (1) year after the time the work is commenced; provided that, for cause, one (1) or more extensions of time, for periods not exceeding ninety (90) days each, may be allowed in writing by the Building Inspector.
- B. Construction or operations under a building or special permit shall conform to any subsequent amendment of this Zoning Bylaw unless the use or construction is commenced within six (6) months after the issuance of the building permit, and in cases involving construction, unless such construction is continued through to completion as continuously and expeditiously as is reasonable.
- C. Preliminary work by way of preparation of the site for new construction such as excavating or removal of old buildings does not constitute the commencement of construction.

§ 200-21. Notice and order.

- A. If the Building Inspector is informed, or has reason to believe that any provision of this Zoning Bylaw or of any permit or certificate of compliance is being, or is about to be violated, he shall make or cause to be made an investigation of the facts, including an inspection of the property where the violation may exist, and, if he finds any violation, he shall immediately issue to the owner of the premises, or his duly authorized agent, and to the occupant of the premises, a written notice and order describing each violation found and ordering immediate discontinuance thereof. Such notice and order shall be sent by certified mail, return receipt requested.
- B. If, after such notice and order, any violation continues, or if any owner, agent or occupant fails to obey any lawful order of the Building Inspector with respect to any violation or any use contrary to the provisions of this Zoning Bylaw, the Building Inspector shall immediately revoke all permits and certificates issued with respect to said premises and shall make complaint to the Superior Court seeking injunctive relief restraining the further use of the premises, and shall take such other action as is necessary to enforce the provisions of this Zoning Bylaw.
- C. If the Building Inspector is requested in writing to enforce the provisions of this Zoning Bylaw against any person allegedly in violation of the same and after investigation he acts or declines to act, he shall notify the party requesting such enforcement of any action taken, or refusal to act, stating the reasons therefor. Such notification shall be made in writing within fourteen (14) days of receipt of such request.
- D. Any person who has been served with a notice and order shall not leave any structure or lot in such a condition as to be a hazard or menace to the public safety, health or general welfare.

§ 200-22. Violations and penalties; noncriminal disposition. [Amended 4-24-1989 ATM by Art. 24, approved 6-20-1989]

- A. Violations. The provisions of this Zoning Bylaw shall be enforced by noncriminal complaint pursuant to the provisions of Massachusetts General Laws, Chapter 40, Section 21D. The Building Inspector taking cognizance of a violation of a specific Zoning Bylaw which he is empowered to enforce, as an alternative to initiating criminal proceedings, shall give to the offender a written notice to appear before the Clerk of the District Court having jurisdiction thereof at any time during office hours, not later than twenty-one (21) days after the date of such notice. Such notice shall be in triplicate and shall contain the name and address, if known, of the offender, the specific offenses charged, and the time and place for his required appearance. Such notice shall be signed by the enforcing person, and shall be signed by the offender whenever practicable in acknowledgment that such notice has been received.
- B. Penalties. Each day, or portion of a day, that any violation is allowed to continue shall constitute a separate offense beginning with the date of receipt of the notice and order issued pursuant to § 200-21A of this Zoning Bylaw. The penalty for violation of any provision of this Zoning Bylaw shall be as follows:
- (1) First offense: written warning.
 - (2) Second offense: \$50.
 - (3) Third offense: \$100.
 - (4) Fourth and subsequent offenses: \$200.