

FWR 10.00 FALMOUTH CONSERVATION COMMISSION

FWR 10.99
Form I - C&D

File No.

*Town of
Falmouth*

Applicant

**Cease and Desist Order
Falmouth Wetlands Bylaw
Chapter 235 of the Code of Falmouth**

From the Falmouth Conservation Commission

To

Date of Issuance

Property lot/parcel number, address

Extent and type of activity:

The Falmouth Conservation Commission has determined that the activity described above is in violation of the Falmouth Wetlands Bylaw, Chapter 235 of the Code of Falmouth, and the Regulations promulgated thereto, FWR 10.00, because:

- Said activity has been/is being conducted without a valid Permit.
- Said activity has been/is being conducted in violation of the Permit issued to __, dated _____, File number _____, Condition number(s)
- Other (specify)

The Conservation Commission hereby orders the property owner, his agents, permittees and all others shall immediately cease and desist from the further activity affecting the wetland portion of this property.

FWR 10.00 FALMOUTH CONSERVATION COMMISSION

FWR 10.99

Form I - C&D continued

- Completed application forms and plans as required by the Bylaw and Regulations shall be filed with the Falmouth Conservation Commission on or before _____ (date), and no further work shall be performed until a public hearing has been held and an Permit has been issued to regulate said work. Application forms are available at the Conservation Commission office in the basement of Falmouth Town Hall.
- The property owner shall take every reasonable step to prevent further violations of the Bylaw.
- Other (specify)

Failure to comply with this Order may constitute grounds for legal action. Chapter 235 of Code of Falmouth states:

"Any person who violates any provision of this bylaw, or regulations, permits, or administrative orders issued thereunder, shall be punished by a fine of not more than \$300. Each day or portion thereof during which a violation continues, or unauthorized fill or other alteration remains in place, shall constitute a separate offense, and each provision of the bylaw, regulations, permits, or administrative orders violated shall constitute a separate offense."

Chapter 1, section 1-1 of the Code of the Town of Falmouth provides that:

"Whoever violates any provisions of the bylaws contained in the Code of the Town of Falmouth may be penalized by indictment or on complaint brought in the District Court."

As an alternative to criminal prosecution in a specific case, the Commission may issue citations under the non-criminal disposition procedure set forth in G.L. Ch. 40, s. 21D, and adopted by the Town as a general bylaw.

Questions regarding this Cease and Desist Order should be directed to:

Issued by

Signature(s)

(Signature of delivery person
or certified mail number)

HEARING RIGHTS

You are hereby notified of your right to a hearing under the Falmouth Wetland Regulations FWR 10.08(1)(d)1. regarding this Cease and Desist Order. In accordance with the provisions of FWR 10.08(1)(d)1., a request for a hearing must be filed in writing within ten (10) days of the date of the issuance of this Cease and Desist Order. If a request for a hearing is not filed in writing within ten (10) days of the date of the issuance of this Cease and Desist Order, the Cease and Desist Order shall have full force and effect.

FWR 10.00 FALMOUTH CONSERVATION COMMISSION

FWR 10.99
Form I - EO

File No.

*Town of
Falmouth*

Applicant

**Enforcement Order
Falmouth Wetlands Bylaw
Chapter 235 of the Code of Falmouth**

From the Falmouth Conservation Commission

To

Date of Issuance

Property lot/parcel number, address

Extent and type of activity:

The Falmouth Conservation Commission has determined that the activity described above is in violation of the Falmouth Wetlands Bylaw, Chapter 235 of the Code of Falmouth, and the Regulations promulgated thereto, FWR 10.00, because:

- Said activity has been/is being conducted without a valid Permit.
- Said activity has been/is being conducted in violation of the Permit issued to __, dated _____, File number _____, Condition number(s)
- Other (specify)

The Conservation Commission hereby orders the following:

- The property owner, his agents, permittees and all others shall immediately cease and desist from the further activity affecting the wetland portion of this property.
- Wetland alterations resulting from said activity shall be corrected and the site returned to its original condition.

FWR 10.99
Form I - EO continued

- Completed application forms and plans as required by the Bylaw and Regulations shall be filed with the

FWR 10.00 FALMOUTH CONSERVATION COMMISSION

Falmouth Conservation Commission on or before _____ (date), and no further work shall be performed until a public hearing has been held and an Permit has been issued to regulate said work. Application forms are available at the Conservation Commission office in the basement of Falmouth Town Hall.

- The property owner shall take every reasonable step to prevent further violations of the Bylaw.
- Immediate corrective action is required to protect the resource area values of the bylaw. A hearing will be held at the soonest available time.
- Other (specify)

Failure to comply with this Order may constitute grounds for legal action. Chapter 235 of Code of Falmouth states:

"Any person who violates any provision of this bylaw, or regulations, permits, or administrative orders issued thereunder, shall be punished by a fine of not more than \$300. Each day or portion thereof during which a violation continues, or unauthorized fill or other alteration remains in place, shall constitute a separate offense, and each provision of the bylaw, regulations, permits, or administrative orders violated shall constitute a separate offense."

Chapter 1, section 1-1 of the Code of the Town of Falmouth provides that:

"Whoever violates any provisions of the bylaws contained in the Code of the Town of Falmouth may be penalized by indictment or on complaint brought in the District Court."

As an alternative to criminal prosecution in a specific case, the Commission may issue citations under the non-criminal disposition procedure set forth in G.L. Ch. 40, s. 21D, and adopted by the Town as a general bylaw.

Issued by

Signature(s)

(Signature of delivery person
or certified mail number)