

Town of Sheffield, Massachusetts
Conservation Commission

**Scenic Mountain Act - Form F
Enforcement Order**

Massachusetts Scenic Mountain Act (MGL C.131, §39A)
Sheffield Scenic Mountain Act Regulations

SMA File No. _____

Date of Issuance: _____

A. Violation Information

1. This Enforcement Order is issued by the Town of Sheffield Conservation Commission under the authority granted pursuant to the MA Scenic Mountain Act and adopted Regulations.

To: _____
Name(s) of Violator(s)

Address of Violator(s)

2. Location of Unauthorized Activity / Violation

Street Address

Town

Zip Code

Assessors Map, Block & Lot Number: _____

3. Description of Unauthorized Activity / Violation (use additional pages as necessary)

B. Findings

The Conservation Commission has determined that the Unauthorized Activity / Violation described above is being conducted (i) within an area delineated under the Regulations and (ii) without approval by the Conservation Commission either through a valid Negative Determination of Applicability or through a valid Order of Conditions under the Regulations, as noted below.

1. Has a Request for Determination of Applicability ("RDA") ever been applied for by Violator(s) to the Conservation Commission for property at the Location of Unauthorized Activity / Violation? Yes No
2. Has a Notice of Intent ("NOI") ever been submitted to the Conservation Commission for property at the Location of Unauthorized Activity / Violation? Yes No

C. Enforcement Order

The Conservation Commission hereby orders the following:

The Violator(s), Property Owner(s) (if different from Violator(s)), their agents, permittees and all others shall **immediately cease and desist** from any violating Alteration activity whatsoever, as cited in A.3.

A Notice of Intent (SMA Form C and proposed Restoration Plan must be filed with the Conservation Commission on or before _____, 20__ addressing and correcting each and every Violation cited in A. 3.

The Restoration Plan must be approved, or amended and approved, by the Conservation Commission before any Alterations resulting from cited violations shall be corrected and returned to their original condition.

The Conservation Commission may unilaterally authorize an independent professional or professionals, at the Violator(s) sole expense, to provide a Peer Review of the restoration plan prior to the amendment of, and subsequent approval of, restoration work.

All Alterations resulting from previous activities that are violations under the Regulations shall be corrected and returned to their original condition in accordance with the conditions and timetable established by the Conservation Commission pursuant to an Order of Conditions on SMA Form D.

D. Failure to Comply with Enforcement Order

Failure to comply with this Enforcement Order shall constitute grounds for additional legal action. Pursuant to the Regulations, whoever violates any provisions of this Act shall be punished by a fine of not more than one thousand dollars (\$1,000) or by imprisonment for not more than six (6) months or both as provided in MGL Chapter C. 131, §39A. Each day, or portion thereof, of continuing violation shall constitute a separate offense.

E. Sheffield Conservation Commission Authorizing Signatures

Signature Printed Name

Signature Printed Name

Signature Printed Name

Signature Printed Name

Signature Printed Name

Date signed: _____

F. Mailing/Delivery of Enforcement Order

This Enforcement Order was mailed by certified mail (return receipt requested) or hand delivered to the Owner / Applicant as follows:

____ By Hand Delivery

____ By Certified Mail, Return Receipt Requested

Date

Date