

## **Criminal and Non-Criminal Disposition of**

### **Town of Tolland Bylaws and Town of Tolland Rules and Regulations**

#### **Criminal Complaint**

Whoever violates any provision of any Town of Tolland Bylaws or any Town of Tolland Rules and Regulations may be penalized upon indictment or complaint brought in the District Court, as provided in Massachusetts General Laws G.L. c. 40, sec. 21 as amended. Violations thereof shall not exceed three hundred dollars for each offense. Each day any violation of any Town of Tolland Bylaws or any Town of Tolland Rules and Regulations shall continue shall constitute a separate offense.

#### **Non-Criminal Complaint**

Whoever violates any provision of any Town of Tolland Bylaws, or any Town of Tolland Rules and Regulations, the violation of which is subject to specific penalty, may be penalized by a non-criminal disposition as provided in Massachusetts General Laws, Chapter 40, Section 21D as amended.

Whoever violates

- (a) an order of the Tolland Board of Health relating to public health, any special law applicable to the Town of Tolland.
- (b) an order of the Tolland Building Inspector relating to public safety, any special law applicable to the Town of Tolland.
- (c) an order of the Chief or Fire Safety Officer of the Tolland Fire Department relating to public safety, any special law applicable to the Town of Tolland.
- (d) or any rule or regulation of any Town of Tolland officer, board or department, the violation of which is subject to specific penalty, may be penalized by a non-criminal disposition as provided in Massachusetts General Laws, Chapter 40, Section 21D as amended.

Violations of the following Town of Tolland By-Laws and/or Town of Tolland Rules and Regulations shall be enforced by non-criminal disposition in accordance with Massachusetts General Laws, Chapter 40, Section 21D as amended.

In addition to Town of Tolland Police Officers who shall have the authority to enforce all of the following Bylaws, rules and regulations, the municipal personnel listed for each section, if any, shall also have the authority to enforce the respective Bylaws, rules and regulations.

Each incident or each day any violation of any Town of Tolland By-Laws or any Town of Tolland Rules and Regulations, shall continue shall constitute a separate offense.

The following by-laws will be enforceable under Chapter 40 §21D of the Massachusetts General Laws, Non-Criminal Disposition of Violations. Fines shall be established by the Tolland Board of Selectmen and are available from the Board of Selectmen.

**Violation of the Town of Tolland Bylaws shall be enforced in the manner provided in MGL, c.40, s. 21D. For the purpose of this section, the specific penalty which is to apply for violation of each Bylaw is listed below and the officers or employees whose titles are listed by each Bylaw shall be deemed to be enforcing officers for each section.**

<b>Bylaw</b>	<b>Enforcement Agent (s)</b>	<b>Penalty</b>	<b>Fine Schedule</b>
<b>Commercial Vehicles Posting Bond By-Law</b>	Police	\$100	Each time an enforcement agent responds to a complaint will be considered a separate violation.
<b>Noyes Pond By-Law</b>	Police	\$100	Each time an enforcement agent responds to a complaint will be considered a separate violation.
<b>Dog Control By-Law</b>	Animal Control Officer  Police	<b>1st violation:</b> warning <b>2nd violation:</b> \$10.00 <b>3rd violation:</b> \$15.00 <b>4th and subsequent violations:</b> \$25.00	Each time an enforcement agent responds to a complaint will be considered a separate violation.
<b>Hunting By-Law</b>	Police	Arrest without warrant or fines of not less than \$100.	Each time an enforcement agent responds to a complaint shall be deemed a separate violation.
<b>Logging Bylaw</b>	Police  Highway Superintendent	\$300	Each day on which a violation exists shall be deemed to be a separate offense.

<b>Bylaw</b>	<b>Enforcement Agent (s)</b>	<b>Penalty</b>	<b>Fine Schedule</b>
<b>Mandatory Recycling Bylaw</b>	Police Board of Selectmen	\$300	Each day an enforcement agent responds to a complaint will be considered a separate violation.
<b>Snow Removal Bylaw</b>	Police Highway Superintendent	\$150	Each time an enforcement agent responds to a complaint will be considered a separate violation.
<b>Numbering Of All Houses, Businesses And Other Structures Bylaw</b>	Police Highway Superintendent Building Inspector Fire Department	\$10	Each day on which a violation exists shall be deemed to be a separate offense.
<b>Winter Parking Ban Bylaw</b>	Police Highway Superintendent	\$50 per incident <b>plus</b> additional \$50 if towing required <b>plus</b> actual towing and storage costs.	Each time an enforcement agent responds to a complaint will be considered a separate violation.
<b>Junk Car Bylaw</b>	Police Zoning Enforcement Officer	\$50	Each day on which a violation exists shall be deemed to be a separate offense.
<b>Zoning Bylaws (including Personal Wireless Services Facility Section XII)</b>	Zoning Enforcement Officer/Building Inspector	\$20 per violation per day.	Each day on which a violation exists shall be deemed to be a separate offense.

**Approved at Special Town Meeting on March 28, 2005**  
**Approved by Massachusetts Attorney General on November 16, 2005**