

CHAPTER XXVII
NON-CRIMINAL DISPOSITION OF CERTAIN VIOLATIONS

Section 1: Authority. In accordance with the provisions of Massachusetts General Law, Chapter 40, Section 21D, certain violations of the following listed by-laws or rules or regulations of municipal officials, boards, or departments may be enforced pursuant to said Section 21D as an alternative to initiating criminal proceedings.

Section 2: Enforcement. Non-criminal Disposition, when implemented, shall be enforced by the person(s) so designated in Section 4 below. The procedures of enforcement shall be in accordance with the provisions of Massachusetts General Law, Chapter 40, Section 21D.

Section 3: Penalties. The specific penalties for violation(s) of the applicable by-laws, rules or regulations shall be listed in Section 4 below.

Section 4: Applicable By-laws, Rules or Regulations.

Section 4A: Zoning By-laws. Notwithstanding the Authority for enforcement and penalties prescribed in the Town of Danvers Zoning By-laws and the provisions of Massachusetts General Law, Chapter 40A, the provisions of said by-law may be enforced by the Inspector of Buildings or Local Inspector by noncriminal complaint. Each day of violation shall constitute a separate offense. The penalty for violation(s) shall be as follows: (AUTH: ARTICLE 36, TM 5/15/95)

1 st Offense	Warning
2 nd Offense	Twenty-five Dollars (\$25.00)
3 rd Offense	Fifty Dollars (\$50.00)
4 th and Each Subsequent Offense	One Hundred Dollars (\$100.00)

(AUTH: ARTICLE 6, TM 6/20/88)

Section 4B: Control of Tobacco Products on School Property. Notwithstanding the Authority for enforcement and penalties prescribed in Chapter 111, Section 31 of the Massachusetts General Laws and the Town of Danvers Board of Health Regulations Affecting Smoking in Certain Places and Youth Access to Tobacco, the provisions of said Regulation may be enforced on school property by a duly appointed agent of the Board of Health by non-criminal complaint. The penalties for violations shall be consistent with those of Section 4A. (AUTH: ARTICLE 6, TM 10/30/95)

Section 5: Rules or Regulations of the Board of Health may be enforced by the Public Health Director by means of non-criminal citation pursuant to M.G.L. Ch. 40, §21D. Each day of violation shall constitute a separate offense. Violations of such Rules and Regulations cited pursuant to non-criminal process shall be subject to the following schedule of penalties:

“First Offense:	Warning
Second Offense:	\$ 25.00 fine
Third Offense:	\$ 50.00 fine
Fourth Offense:	\$100.00 fine.”

(AUTH: ARTICLE 37, TM 5/19/97)