

Sec. 22-5. Regulation of Scenic Roads.

(a) Role of the planning and development board. The planning and development board (hereafter planning board) is authorized to promulgate rules and regulations to implement its administration of scenic roads under the provisions of section 15C of Chapter 40 of the General Laws.

(b) *Enforcement and Penalties*

(1) *Failure to obtain approval of the planning board.* Failure to obtain approval of the planning board prior to cutting or removing trees, or tearing down or destruction of stone walls, or portions thereof, within the layout of a designated scenic road shall require the immediate filing of an application with the planning board and shall be subject to restoration of the features or other remediation plan, as the planning board may order. Work under an approved remediation plan must proceed in good faith continuously until completion by any time limit required in the plan, unless amended in writing by the planning board.

(2) *Penalties.* Each violation of section 15C of Chapter 40 of the General Laws, or of any rule and regulation pertaining to scenic roads shall be punished by a fine of three hundred dollars \$300.00; each tree cut or stone wall removed and each day such violation continues shall constitute a separate offense. The commissioner of inspectional services may revoke or withhold any current or pending permit on the property associated with said violation.

(3) *Enforcement.* The commissioner of inspectional services and the tree warden shall each have authority to enforce the provisions of this section upon request of and on behalf of the planning board, and shall keep the planning board apprised of the status of any such enforcement. Any person found to be in violation of this section shall receive a written warning and a minimum of thirty (30) days to remediate all violations or to enter into a planning board approved remediation plan prior to the institution of an enforcement action. Unless amended by the planning board, failure to comply with an approved remediation plan, including failure to proceed in good faith continuously until its completion, may result in an immediate enforcement action. (Ord. No. Z-67, 06-21-10; Rev. Ord. 2007, § 20-71)