ABINGTON & ROCKLAND JOINT WATER WORKS

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To: Michael Maresco, Abington Town Manager 8/26/26

Subject: Enforcement of Level 4 Water Use Restrictions During MassDEP Water Supply Emergency Declaration

Dear Mr. Maresco,

I am writing to provide a clear update regarding enforcement actions related to the Town's water use restrictions under the current MassDEP Water Supply Emergency Declaration.

As you are aware, these restrictions are mandatory and were implemented due to the continued decline in available water supply and the need to protect system reliability for essential services, including public health, sanitation, and fire protection.

Current Status

To date, the Water Department's approach has focused on public notification, education, and voluntary compliance. While this has resulted in some reduction in non-essential water use, we continue to observe instances of prohibited irrigation and other non-compliant water use.

Enforcement Plan Moving Forward

Effective immediately, the Water Department will transition to active enforcement. The following steps will be implemented:

1. ***Identification of Violations***

- Field staff will document properties observed using irrigation systems or engaging in other prohibited water uses under Stage 4 restrictions.

- Violations will be recorded with date, time, location, and supported by field verification (photos).

2. ***Initial Notice of Violation***

- First-time observed violations will receive a formal written Notice of Violation.
- The notice will include a summary of the restriction, the observed violation, and required corrective action (immediate cessation of prohibited use).

3. ***Escalating Enforcement Actions***

Continued or repeated violations will result in progressive enforcement, which will include:

- Second violations: residents will be issued a $100 fine.
- Third violations: residents will be issued a $300 fine for 3rd offense and every offense thereafter.

4. ***Documentation and Reporting***

- All enforcement actions will be documented and tracked.

Purpose of Enforcement

This shift is necessary to ensure fairness and consistency across the community. Continued non-compliance by a subset of users undermines conservation efforts and places an unfair burden on those who are complying with the restrictions. Given the severity of the current water supply conditions, uniform enforcement is essential.

The Joint Water Works recognizes the UAO issued by the MA DEP requires the Water Department to enforce such restrictions:

1) For the duration of this Emergency Declaration, Respondent shall:

a) Maintain and enforce a mandatory total ban on any nonessential outdoor water use for the duration of this Emergency Declaration. For the purposes of this Emergency Declaration, the term "nonessential outside water use" is defined in 310 CMR 36.03 as meaning "a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

(b) by permit, license, statute or regulation;

(c) for the production of food, including vegetable gardens, and fiber;

(d) for the maintenance of livestock;

(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:

1. plant nurseries as necessary to maintain stock;

2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;

3. venues used for weddings or similar events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;

4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;

(f) for irrigation of public parks before 9:00 A.M. and after 5:00 P.M.,

(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities and athletic associations, before 9:00 A.M. and after 5:00 P.M.,

(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or

(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system."

Conclusion

We are moving from an education-based approach to a structured enforcement process in order to protect the Town's water supply and maintain system stability during this emergency period. Every reduction in non-essential water use directly contributes to extending our available supply and reducing the risk of more severe operational measures.

Please let me know if you have any questions.

Thank you for your continued support.

Respectfully,

Kristel J. Cameron
Superintendent
Abington & Rockland Joint Water Works