

TOWN OF ENFIELD

ORDINANCE 25-3

The following **ORDINANCE REGARDING INLAND WETLANDS AND WATERCOURSE AGENCY VIOLATIONS** was adopted by the Enfield Town Council at a Regular Meeting held on April 22, 2025 pursuant to Chapter III Section 6 of the Enfield Town Charter. Said ordinance shall become effective on May 7, 2025, that being the fifteenth day following final passage.

The ordinance is as follows:

INLAND WETLANDS ENFORCEMENT

Sec. XX-101. Purpose

The purpose of this article is to encourage compliance with the Inland Wetlands and Watercourses Regulations of the Town and to establish a means by which the Town may more effectively enforce its Regulations by implementing fines for violations.

Sec. XX-102. Statutory authority

This article is adopted pursuant to C.G.S §§ 22a-42g and 7-152c, as may be amended. Pursuant to C.G.S. § 22a-42g, the Wetland Official is hereby authorized to issue citations for any violation of the Inland Wetlands and Watercourses Regulations of the Town to the extent and in the manner provided herein.

Sec. XX-103. Definitions

The following terms shall have the meanings set forth herein unless the context clearly indicates a different meaning:

Citation Hearing Officer (“*Hearing Officer*”) means any individual appointed pursuant to C.G.S. § 7-152c and Section XX-107 of this ordinance.

Person means any individual, corporation, or other legal entity capable of occupying, owning or possessing real property.

Wetland Official means the Inland Wetlands Agent, or any other person designated by the Town Manager, to enforce the Inland Wetlands and Watercourses Regulations.

Violation means any activity, condition or event that does not conform to the Inland Wetlands and Watercourses Regulations.

Sec. XX-104. Issuance of citation

- (a) In addition to any and all remedies as set forth in C.G.S. § 22a-44, as may be amended, and the Inland Wetlands and Watercourses Regulations of the Town of Enfield (“IWWR”), the Wetland Official is authorized to issue citations when the Inland Wetlands and Watercourses Agency (“IWWA”) has determined, after a show cause hearing held per IWWR §14.4.a, as may be amended, that a violation(s) exists.
- (b) The citation shall include a description of the violation and the fine(s) for each violation as set forth herein.

(c) Any citation issued hereunder shall be sent to any person who commits a violation by certified mail, return receipt requested and simultaneously by regular United States Postal Service mail.

Sec. XX-105. Amount of fine

The fine for each citation shall be as set forth in the table below.

Nature of Violation	Amount of Fine
For activities that occur within the established upland review area of an inland wetland or watercourse, but not within its related inland wetland or watercourse	\$500
For activities that occur within an inland wetland or watercourse.	\$1,000

Section XX-106 Payment of fine

Payment of fines is due the first business day after receipt of the citation. All amounts shall be made payable to the Town of Enfield.

Sec. XX-107. Citation appeal

- (a) Pursuant to the provisions of C.G.S. § 7-152c, any person issued a citation shall be entitled to a hearing to contest the citation by delivering in person or by mail within ten days of the date of the citation a written demand for a hearing to the Town Manager. If any person so cited chooses not to timely request a hearing, he shall be deemed to have admitted liability. If he does not demand such a hearing, an assessment and judgment shall be entered against him and that such judgment may issue without further notice.
- (b) The Town Manager shall appoint Citation Hearing Officers. Citation Hearing Officers shall serve for a term of two (2) years. No Citation Hearing Officer shall be a police officer, Town employee or any person who has the authority to issue citations.

Sec. XX-108. Exemptions

Notwithstanding the foregoing, no fine shall be levied against the Town or any of its employees while acting within the scope of their employment.

Section XX-109. Liability

No officer, agent or employee of the Town of Enfield charged with the enforcement of this ordinance shall render himself personally liable for any damages that may accrue to persons or property as a result of any act required or permitted in the discharge of his or her duties under this ordinance

Ordinance Serial #25-3

Proposed By:
Approved By:

Planning and Zoning Office
Town Manager

Reviewed By:	Office of the Town Attorney
Proposal Introduced to Council:	April 7, 2025
Date for Public Hearing Set:	April 7, 2025
Proposed Ordinance Posted:	April 8, 2025
Newspaper Warning:	April 11, 2025
Council Holds Public Hearing:	April 22, 2025
Date of Final Passage:	April 22, 2025
Date of Ordinance Published:	April 29, 2025
Effective Date:	May 7, 2025

Sheila M. Bailey, Enfield Town Clerk dated April 23, 2025