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# NON-ENFORCEMENT & AUTHORITY BOUNDARIES DECLARATION

## What This Program Does — and Does Not — Do

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### PURPOSE OF THIS DECLARATION

This declaration exists to clearly define **authority boundaries** within the Dumpster Stormwater, Organics & Infrastructure Prevention System.

It ensures that:

- cities understand this is **not enforcement**
- inspectors are legally protected
- sales staff remain in scope
- sponsors and nonprofits remain neutral
- the program supports — but does not replace — regulatory authority

This clarity is essential for trust, scale, and defensibility.

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## **1** THIS PROGRAM IS NOT AN ENFORCEMENT PROGRAM

This program **does not**:

- issue citations
- issue notices of violation
- determine compliance or non-compliance
- interpret federal, state, or local law
- impose fines or penalties
- mandate corrective actions

At no point does participation in this program constitute enforcement action.

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All inspections are **observational and documentary only**.

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## **2 INSPECTORS HAVE NO ENFORCEMENT AUTHORITY**

Inspectors operating within this system:

- observe conditions as they exist
- document findings using photos and measurements
- record factual, neutral observations
- do **not** provide legal opinions
- do **not** declare violations
- do **not** instruct property owners on regulatory requirements

Inspectors do not act on behalf of a regulatory agency.

They act as **neutral third-party documenters**.

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## **3 SALES & PROGRAM STAFF HAVE NO REGULATORY ROLE**

Sales and program staff:

- explain documented data
- describe optional prevention pathways
- clarify how the system works
- do **not** threaten enforcement
- do **not** imply legal exposure
- do **not** represent regulatory authority

Sales staff are explicitly prohibited from:

- using enforcement language
- referencing fines or penalties
- suggesting regulatory consequences

Their role is **clarity, not pressure**.

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## 4 THIS SYSTEM DOES NOT REPLACE CITY AUTHORITY

Cities and regulators:

- retain full authority at all times
- decide if, when, and how to act
- may use program data as one input among many
- are not obligated to take action based on inspections

This system **supports decision-making** — it does not direct it.

Participation does not alter:

- city enforcement discretion
- regulatory timelines
- legal standards

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## 5 DOCUMENTATION ≠ COMPLIANCE DETERMINATION

Program documentation:

- reflects conditions observed on a specific date
- does not establish legal status
- does not assign responsibility or fault
- does not determine permit compliance

Documentation is intended to:

- improve visibility
- identify patterns
- support prioritization
- enable prevention

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## 6 PREVENTION OPTIONS ARE VOLUNTARY

Any infrastructure recommendations, sponsorship programs, or improvement pathways:

- are optional

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- are non-mandatory
- carry no enforcement deadlines
- exist to reduce exposure, not compel action

Property owners retain full discretion.

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## 7 REGULATORY ACTION EXISTS OUTSIDE THIS PROGRAM

If enforcement occurs, it:

- is initiated independently by the authority having jurisdiction
- follows established legal processes
- is not triggered by this program
- would exist regardless of program participation

This system is designed to **reduce the likelihood** of enforcement by improving early visibility and prevention.

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## 8 WHY THESE BOUNDARIES MATTER

These boundaries:

- protect inspectors from liability
- protect cities from political risk
- protect property owners from surprise escalation
- protect sponsors from reputational harm
- protect the nonprofit's credibility

Most importantly, they allow the system to function as a **preventive tool**, not a punitive one.

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## 9 OFFICIAL BOUNDARY STATEMENT (CANONICAL)

This statement may be quoted verbatim:

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**“This program documents observed conditions and supports prevention. It does not enforce regulations, issue violations, or determine compliance. All regulatory authority remains solely with the appropriate government agencies.”**

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