

**ARTICLE 14
ENFORCEMENT, VIOLATIONS, REMEDIES, AND PENALTIES**

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Sec. 1401. Generally.

Any person who violates the provisions of this Ordinance or the requirements of an approved plat, development plan or permit is subject to any or all of the enforcement actions and remedies described in this Section.

Sec. 1402. Notice of Violation.

If the Zoning Administrator or his designee determines that an applicant or other responsible person has failed to comply with any provision of this Ordinance or any term or conditions of a permit, approved plat or development plan, he shall issue a written Notice of Violation to such applicant or other responsible person. Said Notice of Violation may be issued prior to or concurrent with the issuance of a stop work order. Where a person is engaged in activity covered by this Ordinance without having first secured the appropriate permit therefor, the notice of violation shall be served on the owner or agent of the owner of the property where the activity is taking place.

Sec. 1403. Content of Notice of Violation.

Each notice of violation shall contain the following:

- (a) The name and address of the owner, applicant, or other person responsible for the site where the violation occurred or is occurring;
- (b) The address or other description of the site where the violation occurred or is occurring;
- (c) A statement specifying the nature of the violation;
- (d) A description of the remedial measures necessary to correct the violation;
- (e) The date for the completion of such remedial measures, after which further enforcement action will be taken; and
- (f) A statement of the penalty or penalties that may be assessed against the person to whom the Notice of Violation is directed.

Sec. 1404. Stop Work Order.

Upon learning or discovering a violation of this Ordinance or any approved site plan or permit issued pursuant to this Ordinance, the Zoning Administrator may immediately issue a Stop Work

Order which forbids all further work at the job site until the Stop Work Order is withdrawn or otherwise removed. The Stop Work Order shall be posted on the job site and mailed to the applicant at the address shown on the permit or approved site plan. The Stop Work Order shall remain in effect until the remedial measures set forth in the Notice of Violation have been taken or any violation has otherwise been corrected to the satisfaction of the Zoning Administrator; provided, however, the Zoning Administrator may withdraw or modify any Stop Work Order to enable the applicant to take necessary remedial measures to cure any such violation.

Sec. 1405. Failure of Remedial Measures.

In the event the remedial measures described in the Notice of Violation have not been completed by the date set forth for such completion in the Notice of Violation, any one or more actions or penalties described in this Section as appropriate may be taken or assessed against the person to whom the Notice of Violation was directed and/or the property where the violation occurred or is occurring.

Sec. 1406. Withholding, Modification, Revocation, or Suspension of Approvals or Pending Approvals.

The Zoning Administrator may at any time refuse to issue, revoke, modify, or suspend a plat, plan, or permit for the building or other development activity or improvements constructed or being constructed on the site in violation of this Ordinance until the applicant or other responsible person has taken the remedial measures set forth in the Notice of Violation or has otherwise cured the violations described therein. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the Notice of Violation or has otherwise cured the violations described therein, provided such permit may be reinstated (upon such conditions as the enforcement officer may deem necessary) to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.

Sec. 1407. Withholding of Utility Service.

The Zoning Administrator may request or direct any utility service provider to withhold utility service to any property on which a violation is alleged to have occurred.

Sec. 1408. Citation.

The Zoning Administrator shall have authority to issue citations for violations of this Ordinance and to prosecute such violations before a court of competent jurisdiction.

Sec. 1409. Penalty for Violating Ordinance.

Any person who violates or fails to comply with any provision of this Ordinance, or any plat, development plan or permit issued pursuant to this Ordinance, shall be punished by a fine not exceeding \$1,000.00 or by imprisonment not exceeding sixty (60) days, or both, for each such violation or failure to comply hereunder. Each day any violation of this Ordinance shall continue shall constitute a separate offense. Any violation or failure to comply that continues for more than one day shall constitute a public nuisance.