

ARTICLE 12.0 VIOLATIONS

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this ordinance. Anyone who has violated or continues to violate the provision of this Ordinance, may be subject to enforcement actions outlined in this section or may be restrained by injunction or otherwise restricted in a manner provided by law. Whenever the Lamar County Board of Supervisors finds a violation of this ordinance has occurred, the Board may order compliance by written notice of violation.

A. The notice shall contain:

1. The name and address of the alleged violator;
2. The address when available or a description of the building, structure or land upon which the violation is occurring, or has occurred;
3. A statement specifying the nature of the violation;
4. A description of the remedial measures necessary to restore compliance with this ordinance and time schedule for the completion of such remedial action;
5. A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed; and,
6. A statement that the determination of violation may be appealed to the Lamar County Board of Supervisors by filing a written notice of appeal within thirty (30) days of service of notice of violation.

B. Such notice may require:

1. The performance of monitoring, analyses, and reporting;
2. The elimination of illicit connections or discharges;
3. That violating discharges, practices, or operations shall cease and desist.
Depending on severity of the violations, offending person(s) may be given as little as 24 hours to clean up sediments, pollutants, etc., and an additional 24 hours to put stormwater controls in place. Otherwise, a stopwork order may be issued.
4. The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property; and
5. Payment of a fine or costs to cover administrative, remediation, and/or abatement costs; and
6. The implementation of source control, pollution prevention practices, or treatment BMPs.

If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work will be done by a designated governmental agency or a contractor and the expense thereof shall be charged to the violator.

12.1 VIOLATIONS ENFORCEMENT

In the event a violation constitutes an immediate danger to public health or public safety, Lamar County or its authorized agent may enter upon the subject private property, without giving prior notice, to take any and all measures necessary to abate the violation and/or restore the property. After abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs. Lamar County is authorized to seek costs of the

abatement as outlined in this section. The property owner may file an appeal within 30 days. If the amount due is not paid within a timely manner as determined by the decision of the appropriate authority or by the expiration of the time in which to file an appeal, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment.

Any person violating any of the provisions of this article shall become liable to the County by reason of such violation.