



NOTICE OF VIOLATION

Fine Immediately Due

File Number:

This Notice of Violation is issued pursuant to [REDACTED]. A fine of \$500 per violation is IMMEDIATELY DUE AND OWING to the [REDACTED] for each violation listed in Section 3, below. Failure to respond as required shall result in the violations automatically being found committed and waiver of any right to contest the violations or request mitigation of the monetary penalties. Pursuant to [REDACTED], any fines and costs not paid in full within thirty (30) days of the date of issuance of this Notice of Violation may be sent to a collection agency. Any fines sent to a collection agency are subject to SIGNIFICANT ADDITIONAL COSTS.

Please read the front and back of this document to understand your obligations.

DATE ISSUED: October 11, 2019

Response due: October 25, 2019

1. NAME AND ADDRESS OF PERSON(S) RESPONSIBLE FOR CODE VIOLATIONS:

Property Owner

Sample Letter



2. ADDRESS OF CODE VIOLATIONS:



3. TAX PARCEL NUMBER(S): 12345678

4. DESCRIPTION OF VIOLATION(S), CODE PROVISIONS VIOLATED AND CORRECTIVE ACTION REQUIRED:

A. Violation No. 1

Inattention to good housekeeping practices and preventative maintenance measures were identified at your property.

Code Provision(s) Violated:

7.14.130

States that all owners/operators shall provide, at owner/operator expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the MS4 or waters of the





state through the use of structural, nonstructural, and operational BMPs. Further, any owner/operator responsible for premises that are, or may be, the source of an illicit discharge may be required to implement, at owner/operator expense, additional structural, nonstructural, and operational BMPs to prevent illicit discharges to the MS4 or waters of the state.

CORRECTIVE ACTION REQUIRED: Sweep all surfaces that contain an excessive amount of sediment, trash and debris that could contaminate stormwater. Do not hose down sediment or pollutants to nearby storm drains.

5. JOINT AND SEVERAL LIABILITY: Under [redacted], responsibility for code violations is joint and several against those persons who are responsible for the violation. [redacted] defines the "person responsible for the violation" as a person who has titled ownership or legal control of the property, an occupant or other person in control of the property, or any person who created, caused, or has allowed the violation to occur. Under these code sections, **both** the property owner and each tenant, occupant, or other person in control of the property are responsible to correct this violation and pay the resulting fine.

6. PENALTY: As provided by [redacted] and advised in the Correction Letter issued prior to this Notice of Violation, a total **FINE AMOUNT** immediately due for the violations listed above is **\$500**, assessed at \$500 per violation.

BE ADVISED, should you fail to abate the violations within the time specified by this Notice of Violation, regardless of whether you pay the fine assessed, the [redacted] **Police Department** may investigate the violation and forward its investigation to the [redacted] prosecutor for possible criminal charges.

7. Date of Issuance of Prior Warning (Correction Letter): **Friday, October 11, 2019
Manner in Which Prior Warning Was Issued: **U.S. Mail****

NOTE: Pursuant to [redacted], each day in which a violation continues constitutes a separate violation for which the [redacted] may, at its discretion, issue a new Notice of Violation. Therefore, multiple Notices of Violation may be issued where a violation continues to exist, with each violation listed on the NOV punishable as a separate offense subject to a penalty of \$500 per violation per day. **Please be advised:** Pursuant to [redacted], failure to correct a violation may result in criminal charges being filed against the person responsible for the violation. Pursuant to [redacted], the [redacted] may seek a court order to enter upon the property and correct the violations and all costs incurred by the [redacted] in correcting the violations may be assessed as a lien against the property.

YOU MUST RESPOND TO THIS NOTICE WITHIN 14 DAYS FROM THE DATE ISSUED.

To respond, you must check one of the boxes on the last pages of this form and return them to the following address:



VIOLATION #1: Inattention to good housekeeping practices and preventative maintenance





measures were identified at your property.

YOU MUST PUT AN "X" ON ONE OF THE LINES BELOW:

_____ Payment of Fine: I admit that I committed the violations listed on the other side of this Notice and have enclosed a check or money order payable in U.S. funds for the full amount listed in section 4 of this Notice. **However, I understand that paying the fine does not relieve me of the obligation to correct the violations, and if I do not correct them, additional Notices of Violation may be issued against me or criminal charges may be filed.** NOTE: Where checks are unsigned or returned for insufficient funds, additional fees may be assessed and the penalty shall be considered unpaid until valid payment in full is made. Failure to make payment in full within 30 days of the date of issuance of this Notice of Violation may result in fines and costs being assigned to a collection agency.

_____ Mitigation Hearing: I admit that I committed the violations listed on the other side of this Notice and wish to schedule a hearing to request mitigation of the monetary penalty. I understand that the hearing examiner may or may not reduce my fine, and that no fine shall be reduced to less than \$100 per violation. **I also understand that if I have not corrected the violations by the time of the hearing, the [redacted] may oppose any reduction of the fine amount, and that additional Notices of Violation may be issued or criminal charges may be filed.** Failure to appear at the hearing shall result in a default judgment against me with the full fine amounts listed for each violation being assessed as well as any costs requested by the [redacted]. Payment must be made in full within 30 days of any decision or default judgment against me or the fines and costs may be assigned to a collection agency.

_____ Contested Hearing: I want a hearing to challenge the violation(s) and I promise to appear at the hearing. I understand that the [redacted] must only prove by a preponderance of the evidence that the violation(s) alleged in this Notice occurred and that I am legally responsible for them. Subject to the procedures outlined in [redacted], I understand that I may question any evidence or witnesses presented by the [redacted], but that I am responsible for furnishing any evidence or witnesses on my own behalf. I understand that if the hearing examiner finds that I have committed any of the violations, a fine of \$500 for each committed violation may be assessed against me. **I understand that if I have not corrected the committed violations by the date of the hearing, new Notices of Violation may be issued against me or criminal charges may be filed.** Failure to appear at the hearing shall result in a default judgment against me with the full fine amounts listed for each violation being assessed as well as any costs requested by the [redacted]. Payment must be made in full within 30 days of any decision or default judgment against me or the fines and costs may be assigned to a collection agency.

Signature of Person Paying Fine, Mitigating or Contesting: _____

Print name: _____

Date Signed: _____

Contact information:





PUBLIC WORKS ENVIRONMENTAL ENGINEERING



Address _____ Apt # _____
City _____ State _____ Zip _____
Telephone (_____) _____ Email _____

Code Enforcement Officer

