

CODE ENFORCEMENT CASE TIMELINE

If a violation of a code provision is found, the Growth Management Director or designee shall notify the alleged violator of the violation and give the alleged violator a reasonable time via courtesy notice, in light of the nature of the violation, to correct the violation. If corrected, then the case is closed. Typically Courtesy Violation Notice provides 3-30 days for correction, depending on violation



Should the violation continue beyond the time specified for correction, the Growth Management Director or designee shall schedule a hearing in front of the Special Magistrate and provide written notice to the alleged violator of a scheduled hearing.



The alleged violator shall be given at least fifteen (15) days written notice of the hearing. The Special Magistrate is a quasi-judicial official and shall follow all statutes and common law concerning ex-parte communications.



The Special Magistrate shall proceed to hear cases on the agenda for the day of the scheduled hearing. Meeting occurs 15 - 30 days Following the Notice of Hearing. If the violator comes into compliance prior to the meeting, the case is closed and taken off of the agenda.



After the conclusion of the hearing, if enforcement action is necessary, the Special Magistrate shall issue findings of fact and conclusions of law in the form of an order of enforcement, which shall command whatever steps are necessary to bring a violation into compliance by the time set in the order. Time of Correction is Typically 5-30 Days before the lien begins to accrue.



Should the violator fail to come into compliance, a certified copy of an order of enforcement shall be recorded in the public records and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator. Applicant has 10 days to pay the Administrative Fee following the Special Magistrate Hearing as well.

OR

Should the violator come into compliance within the specified time frame, they shall pay the administrative fee, request an inspection to verify compliance; the case will then be closed (Administrative Fee must also be paid or lien will still be recorded).



Upon complying with the order of enforcement as executed by the Special Magistrate after a lien has accrued, the violator may request a hearing to ask for a reduction of fine accrual of the order of enforcement. Applicant can request a reduction hearing typically 14-30 days prior to a Scheduled Meeting.

OR

Upon complying with the order of enforcement as executed by the Special Magistrate, the lien may be paid in full, and the case will be closed.



Should the Special Magistrate recommend a fine reduction, the Town Clerk shall place the fine reduction recommendation on the next available regular commission meeting agenda to consider approval of the Special Magistrate's recommendation. Upon approval, the Town Commission shall authorize the Mayor to sign an amended order or any other legal document necessary to satisfy or reduce the lien. The Town Commission's Abatement Order will detail any changes to the accrued lien and set a timeframe for compliance of its' order. If the Order is not fulfilled, the original lien shall be reinstated.



Upon payment in full of the reduced lien amount in the specified timeframe, the case will be closed.