

MEMORANDUM

DATE: July 8, 2003

TO: The Board of Supervisors

FROM: Darryl E. Cook, Environmental Director
Leo P. Rogers, Deputy County Attorney

SUBJECT: Erosion and Sediment Control Ordinance Violation - Civil Charge - Powhatan Enterprises, Inc.

Attached is a resolution for consideration by the Board of Supervisors involving a violation of the Erosion and Sediment Control Ordinance. The case involves the disturbance of land on two residential construction sites without a land-disturbing permit or building permit. In accordance with provisions of the Ordinance, the County issued a notice of violation and a stop-work order. The builder, Lawrence Beamer, of Powhatan Enterprises, Inc., has abated the violation.

Under the provisions of the Ordinance, the Board may accept a civil charge of up to \$2,000 as offered by the responsible party. Rather than go to court, Mr. Beamer agreed to a civil charge of \$700. Staff believes that a civil charge of \$700 is fair given the nature of the land disturbance and the cooperation of Mr. Beamer in correcting the violation.

Staff recommends that the Board adopt the attached resolution accepting a civil charge for the erosion and sediment control violation.

Darryl E. Cook

Leo P. Rogers

DEC/LPR/gs
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Attachment