

MEMORANDUM

DATE: October 12, 2004  
TO: The Board of Supervisors  
FROM: Darryl E. Cook, Environmental Director  
SUBJECT: Erosion and Sediment Control Ordinance Violation - Civil Charge - Donald W. Hicks

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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 for the purpose of clearing and improving drainage 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 owner, Donald W. Hicks of Lanexa, Va., 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. Hicks agreed to a civil charge of \$300. Staff believes that a civil charge of \$300 is fair given the nature of the land disturbance and the cooperation of Mr. Hicks in correcting the violation.

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

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Darryl E. Cook

CONCUR:

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Leo P. Rogers

DEC/gs  
hicksviol.mem

Attachments