

## Violations & Penalties

### 16.1 COMPLAINTS REGARDING VIOLATIONS

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Whenever a violation of this ordinance occurs, or is alleged to have occurred, any person may file a written complaint. Such written complaint shall include a detailed description of the cause and basis for the alleged violation and shall be filed with the Administrator who shall establish a record of such complaint, investigate in a timely manner, and take appropriate action as provided by this ordinance.

- A. Unless specifically set forth otherwise in this ordinance, or prohibited by law, the Administrator is hereby authorized to enforce the provisions of this ordinance.
- B. The Administrator may enter any building, structure or premises as provided by law, to perform any duty imposed upon them by this ordinance.

#### 16.1.2 NOTICE OF VIOLATION; OPPORTUNITY TO CURE

- A. Whenever the Administrator has reasonable cause to believe that a person is violating any of the provisions of this ordinance or any plan, order, or condition issued pursuant to this chapter, that official shall immediately notify that person of the violation.
- B. Such notice of violation shall be in writing and shall be served in any manner permitted by NCGS Section 1A-1, rule 4(j). If notice cannot with due diligence be achieved by personal delivery, certified mail, registered mail, USPS signature confirmation, or by a designated delivery service pursuant to 26 U.S.C. Section 7502(f)(2), notice may be given by publication consistent with NCGS Section 1A-1, rule 4(j1).
- C. If the violator cannot be ascertained, then the notice of violation shall be sent to the owner of record and to the property address on which the violation occurs.
- D. **Notice of Stop Work/Operation/Activity:** If, in the opinion of the Administrator, work or activity is in progress in violation of this ordinance and can be reasonably halted until a notice of violation may be delivered in accordance with this section, a notice may be posted on-site or hand delivered to the apparent responsible party on-site. Such notice shall stay all further work or activity on the site in violation of this ordinance.
- E. The notice of violation shall include an opportunity to correct the violation within 10 days of receipt of such notice, before any civil penalties are incurred.
- F. Upon receipt of a written request for an extension of time to correct the violation from the alleged violator or the property owner within 10 days of the receipt of the notice of violation, the Administrator charged with the duty of enforcing the regulations being violated may grant a single written extension of time, not to exceed a period of 30 days from the last date such written request could be timely made, in which the alleged violator may cure or correct the violation before the town pursues penalties or other relief.
- G. The alleged violator or property owner may seek an appeal to the notice of violation from the Administrator through the Board of Adjustment within 30 days of receipt of the initial notice of violation. In the case of an appeal, the alleged violator or property owner shall notify the Administrator of their intent to appeal the notice of

violation. At that time the Administrator shall grant in writing an extension of 30 days from the delivery of the notice of violation to allow the alleged violator or property owner to appeal the notice.

## 16.2 SPECIFIC TYPES OF VIOLATIONS

### 16.2.1 EROSION AND SEDIMENTATION CONTROL VIOLATIONS

- A. Any person engaged in land-disturbing activity, who fails to file a plan in accordance with the erosion and sedimentation control regulations of this ordinance, or who conducts a land-disturbing activity except in accordance with provisions of an approved plan will be deemed in violation of the erosion and sedimentation control regulations of this article.
- B. Uncovered areas which resulted from land-disturbing activities, and exceed half an acre (21,780 sf), and are subject to continued accelerated erosion, and are causing off-site damage from sedimentation, shall constitute a violation and must be provided with a ground cover or other protective measures, structures, or devices sufficient to restrain accelerated erosion and control off-site sedimentation.

### 16.2.2 FLOOD DAMAGE PREVENTION VIOLATIONS

- A. **Violations to be Corrected:** When the Floodplain Administrator finds violations of Section 12.4 of this ordinance, or any other applicable state and local laws, it shall be his or her duty to notify the owner or occupant of the building of the violation. The owner or occupant shall immediately remedy each of the violations of law cited in such notification.
- B. **Actions in the Event of Failure to Take Corrective Action:** If the owner of a building or property shall fail to take prompt corrective action, the Floodplain Administrator shall give the owner written notice, by certified or registered mail to the owner's last known address or by personal service, stating:
  1. That the building or property is in violation of the flood damage prevention provisions of this ordinance;
  2. That a hearing will be held before the Floodplain Administrator at a designated place and time, not later than 10 days after the date of the notice, at which time the owner shall be entitled to be heard, in person or by counsel, and to present arguments and evidence pertaining to the matter; and
  3. That following the hearing, the Floodplain Administrator may issue an order to alter, vacate, or demolish the building; or to remove fill as appears appropriate.
- C. **Order to Take Corrective Action:** If, upon a hearing held pursuant to the notice prescribed above, the Floodplain Administrator shall find that the building or development is in violation of the flood damage prevention provisions of this ordinance, he or she shall issue an order in writing to the owner, requiring the owner to remedy the violation within a specified time, not less than 60 calendar days nor more than 180 calendar days. Where the Floodplain Administrator finds that there is imminent danger to life or other property, he or she may order that corrective action be taken in such lesser period as may be feasible.
- D. **Appeal:** Any owner who has received an order to take corrective action may appeal the order to the Board of Adjustment by giving notice of appeal in writing to the Floodplain Administrator and the clerk within 10 days following issuance of the final order. In the absence of an appeal, the order of the Floodplain Administrator shall be final. The Board of Adjustment shall hear an appeal within a reasonable time and may affirm, modify and affirm, or revoke the order.

- E. **Failure to Comply with Order:** If the owner of a building or property fails to comply with an order to take corrective action from which no appeal has been taken, or fails to comply with an order of the Board of Adjustment following an appeal, the owner shall be guilty of a misdemeanor and shall be punished at the discretion of the court.

**16.2.3 STORMWATER MANAGEMENT VIOLATIONS**

- A. **General:** Any failure to comply with an applicable requirement, prohibition, standard, or limitation imposed by Chapter 12 of this ordinance shall constitute a violation of this ordinance.
- B. **Each Day a Separate Offense:** Each day that a violation continues shall constitute a separate and distinct violation or offense.
- C. **Responsible Persons:** For the purposes of this article, responsible person(s) shall include but not be limited to:
  1. **Person Maintaining Condition Constituting Violation:** An architect, engineer, builder, contractor, developer, agency, or any other person who participates in, assists, directs, creates, causes, or maintains a condition that constitutes a violation of this ordinance, or fails to take appropriate action, so that a violation of this ordinance results or persists.
  2. **Responsibility For Land or Use of Land:** The owner of the land on which the violation occurs, any tenant or occupant of the property, any person who is responsible for stormwater controls or practices pursuant to a private agreement or public document, or any person, who has control over, or responsibility for, the use, development or redevelopment of the property.

**16.2.4 LANDSCAPING VIOLATIONS**

The failure to comply with the landscaping and maintenance requirements of Chapter 8 of the UDO, or the unauthorized disturbance, damage, removal or excessive pruning of vegetation within any required buffers, tree save areas, streetscapes, vehicular use areas, or other landscape areas required by this section, or by a zoning condition, shall constitute a violation of this ordinance.

- A. The authority to determine whether the regulations of this ordinance have been met shall rest with the Administrator. Appeals of a decision of the Administrator shall be taken to the Board of Adjustment according to the provisions of Section 15.12.
- B. Notice of violation shall be sufficient if directed to the developer, owner(s), the agent of the owner(s), or the contractor, and left at his/her known place of business or residence. The notice of violation shall state the specific violation, indicate the remedy and time period for correcting the violation and, whether fines and/or civil penalties are due.
- C. Failure to comply within the time period specified by the notice authorizes the Administrator to initiate any civil or criminal action.

**16.2.5 ILLEGAL SUBDIVISIONS / SALES OF LAND**

Any person who, being the owner or agent of the owner of any land located within the territorial jurisdiction of the Town of Wake Forest, subdivides his land in violation of this ordinance or transfers or sells land by reference to, exhibition of, or any other use or a plat showing a subdivision of the land before the plat has been properly approved under the terms of this ordinance and recorded in the office of the Wake County Register of Deeds, shall be guilty of a misdemeanor. The description by metes and

bounds in the instrument of transfer or other document used in the process of selling or transferring land shall not exempt the transaction from this penalty. The town, through its attorney or other official designated by the Wake Forest Board of Commissioners, may seek to enjoin an illegal subdivision, transfer, or sale of land by action for injunction. Further, violators of this ordinance shall be subject upon conviction, to fine and/or imprisonment as provided by this chapter.

#### 16.2.6 SUMMARY REMOVAL OF SIGNS

- A. Pursuant to NCGS 160A-193, the Administrator shall have the authority to summarily remove, abate, or remedy a sign or sign structure which the building inspector has determined to be dangerous or prejudicial to the public health or safety.
- B. The expense of the action shall be paid by the sign owner or if the sign owner cannot be ascertained, by the property owner, and if not paid, there shall be a lien placed upon the land or premises where the violation arose, and it shall be collected as a money judgment.
- C. The Administrator shall have the authority to remove summarily any signs or sign structures prohibited under Section 11.11.

#### 16.2.7 UNAUTHORIZED DEMOLITION OF HISTORIC PROPERTIES

In addition to penalties authorized elsewhere, any demolition of structures subject to these regulations, in violation of the COA, or undertaken without compliance with this process shall be prohibited from submitting redevelopment plans for the property for 48 months from the date of notice of the violation. The length of the delay may be shortened at the discretion of the Administrator, depending on the specific circumstances of the site, structure, and violation.

#### 16.2.8 DEMOLITION BY NEGLIGENCE OF HISTORIC PROPERTIES

Demolition by neglect of any designated historic landmark or property located within a historic district shall constitute a violation of this ordinance. Owners of historic properties and structures shall have the responsibility to preserve those properties and structures against decay, deterioration, and structural defects and to correct conditions that would compromise those properties' and structures' long-term integrity.

- A. For the purposes of this ordinance "demolition by neglect" shall mean the failure by the owner or other responsible person with legal control of any building or structure (including walls, fences, light fixtures, steps, pavement, paths, outdoor signs, or any other appurtenant feature), to keep the building or structure free of decay, deterioration, and structural defects to such a degree that the structural integrity or habitability of the structure may be threatened. Demolition by neglect shall also include the failure of such owner, or other responsible person to repair, upon written notice of violation of this ordinance by the town, such exterior features as are found to be deteriorating, or to correct any condition contributing to deterioration, including but not limited to the following defects:
  - 1. Deterioration of exterior walls, foundations, or other vertical supports that cause leaning, sagging, splitting, listing, or buckling.
  - 2. Deterioration of flooring or floor supports, roofs, or other horizontal members that cause leaning, sagging, splitting, listing, or buckling.
  - 3. Deterioration of external chimneys causing leaning, sagging, splitting, listing, or buckling.
  - 4. Deterioration or crumbling of exterior plasters or mortars.

5. Ineffective waterproofing of exterior walls, roofs, and foundations, including broken windows or doors.
  6. Defective protection or lack of weather protection for exterior wall and roof coverings, including lack of paint, or weathering due to lack of paint and/or other protective coverings.
  7. Rotting, holes, and other forms of decay.
  8. Deterioration of exterior stairs, porches, handrails, window and door frames, cornices, entablatures, wall facings, and architectural details that causes delamination, instability, loss of shape and form, or crumbling.
  9. Heaving, subsidence, or cracking of sidewalks, steps, or pathways.
  10. Deterioration of fences, gates, and/or accessory structures.
  11. Deterioration of any exterior feature so as to create, or permit the creation of, any hazardous or unsafe conditions to life, health, or other property.
- B. Determination of Neglect:** Once the possibility of neglect comes to the attention of the Administrator, Town Staff will investigate. If staff determines that a “demolition by neglect” violation has occurred, or is in danger of occurring, notice will be given to the Historic Preservation Commission (HPC). The HPC shall call a public hearing. Written notice of such public hearing shall be mailed by first class mail to the owner, and any other responsible person with legal control of the structure, not less than 10 days prior to the date of the hearing. If the HPC determines at the public hearing that a state of “demolition by neglect” exists then it will issue a finding of such condition and either issue a Certificate of Appropriateness (COA) for minor repairs, if appropriate, and/or order that an application for a COA be submitted for repairs requiring a separate hearing before the HPC. Any required time limit for repairs will automatically be adjusted, as needed, to allow the normal COA process.
- C. Notice of Violation:** When the Historic Preservation Commission finds that a state of “demolition by neglect” exists, a “Notice of Violation” will be sent to the property owner, according to standard town procedures. If an order to submit an application for a COA has been issued by the HPC the “Notice of Violation” will include a statement to that fact and the time allowed for compliance will be appropriately adjusted.
- D. Safeguards from Undue Economic Hardship:**
1. When a claim of undue economic hardship is made owing to the effects of this article, the Administrator shall notify the Hardship Review Committee (HRC) which shall be made up of the finance director, the planning director and the inspections director or their designees. The HRC shall schedule a hearing on the claim within 15 business days of receipt of the petition by the Administrator.
  2. The petitioner shall present the information required by the HRC to determine if an undue economic hardship owing to the effects of a “demolition by neglect” finding has occurred. In the event that any of the required information is not reasonably available to the owner and/or parties in interest and/or cannot be obtained by the owner, the owner shall describe the reasons why such information cannot be obtained. The minimum necessary evidence shall include, but is not limited to:
    - a. Nature of ownership (individual, business, or non-profit) or legal possession, custody, and control.

- b. Financial resources of the owner and/or parties in interest.
  - c. Estimated cost of repairs.
  - d. Assessed value of the land and improvements (existing).
  - e. Real estate taxes for the previous 2 years.
  - f. Amount paid for the property, date of purchase, and party from whom purchased, including a description of the relationship between the owner and the person from whom the property was purchased, or other means of acquisition of title, such as by gift or by inheritance.
  - g. Annual debt service, if any, for the previous 2 years.
  - h. Any listing of the property for sale or for rent, the price asked, and offers received, if any.
3. In addition, for all income-producing properties, the owner and/or parties in interest must also provide the following:
    - a. Annual gross income from the property for the previous 2 years.
    - b. Itemized operating and maintenance expenses for the previous 2 years, including proof that adequate and competent management procedures were followed.
    - c. Annual cash flow, if any, for the previous 2 years.
  4. Within 10 business days after the hearing the Hardship Review Committee shall cause to be made a finding of undue or no undue economic hardship and shall provide a copy of the decision to the Administrator and the Historic Preservation Commission. In the event of a finding of no undue economic hardship, the Administrator shall cause to be issued an order for such property to be repaired within the time specified.
  5. In the event of a finding of undue economic hardship, the finding may be accompanied by a recommended plan to relieve the economic hardship. This plan may include, but is not limited to the following: property tax relief as may be allowed under North Carolina law, loans or grants from the city, the county, or other public, private, or nonprofit sources, acquisition by purchase, building code modifications, changes in applicable zoning regulations, or obtaining a variance proving sufficient to mitigate the undue economic hardship. The Hardship Review Committee shall report such finding and the recommended plan to the Administrator who will then cause to be issued an order for such property to be repaired within the time specified, and according to the provisions of the recommended plan.
  6. Findings made by the Hardship Review Committee may be appealed to the Historic Preservation Commission and shall be heard at its next meeting, within the limitations of its procedures for applicable deadlines. Decisions of the Historic Preservation Commission may be appealed to the Board of Adjustment.

## 16.3 PENALTIES FOR VIOLATION AND ENFORCEMENT MECHANISMS

### 16.3.1 LIABILITIES FOR VIOLATIONS

Pursuant to NCGS §160A-175, any person who erects, constructs, reconstructs, alters, repairs, converts, or maintains any building, structure, sign or sign structure or develops, grades or otherwise alters property in violation of this ordinance, and any person who

uses any building, structure, sign or sign structure or land in violation of this ordinance shall be subject to civil and/or criminal penalties.

**16.3.2 CIVIL PENALTIES; CIVIL CITATIONS FOLLOWING A NOTICE OF VIOLATION**

- A.** Following the delivery of a notice of violation according to the provisions of 16.1.2, if the alleged violator or property owner does not correct the violation within 10 days, or up to an additional 30 days if an extension is granted in writing by the Administrator or as provided herein, a citation shall be issued in accordance with the town’s Comprehensive List of Fees and Charges.
- B.** If the Administrator notifies a party of a violation, and that violation is remedied but is subsequently reestablished, in whole or in part, within a period of 180 days thereafter, a new notice of violation shall not be reissued. Rather, this shall be considered a continuation of the same violation and the town shall have the ability to immediately issue citations with monetary penalties as if the cessation had never occurred.

**16.3.3 PENALTIES FOR UNLAWFUL GRADING, FILLING AND CONSTRUCTION ACTIVITIES**

- A.** Any person who violates any of the erosion and sedimentation control provisions this ordinance and/or who initiates land-disturbing activity except in accordance with the terms, conditions and provisions of an approved erosion control plan, shall be subject to a civil penalty according to the town’s Comprehensive List of Fees and Charges.
- B.** Any person who fails to submit an erosion control plan for approval in accordance with Chapter 12 of this ordinance shall be subject to a single, non-continuing civil penalty according to the town’s Comprehensive List of Fees and Charges.
- C.** Anyone who violates a stop work order issued by the Administrator shall be subject to a civil penalty according to the town’s Comprehensive List of Fees and Charges.
- D.** Each day of a continuing violation of a stop work order issued by the Administrator shall constitute a separate violation.
- E.** Fines will be determined by considering the degree and extent of harm caused by the violation and the cost of rectifying the damage, the amount of money the violator saved by noncompliance, whether the violation was committed willfully and the prior record of the violator in compliance or failing to comply with grading and filling control standards.
- F.** The town may require a person who engaged in a land-disturbing activity and failed to retain sediment generated by the activity, as required by G.S. 113A-57 (3), to restore the waters and land affected by the failure so as to minimize the detrimental effects of the resulting pollution by sedimentation. This authority is in addition to the civil or criminal penalties or injunctive relief authorized elsewhere in this chapter.
- G.** Notice of violation of a stop work order issued by the Administrator shall be sufficient if directed to the property owner, the agent of the owner, or the contractor in a manner authorized under NCGS Section 1A-1, rule 4(j).
- H.** If any section in this chapter is/are to be held invalid or unenforceable, all other sections shall nevertheless continue in full force and effect.

**16.3.4 PENALTIES FOR FLOOD DAMAGE PREVENTION VIOLATIONS**

Violation of the provisions of the flood damage prevention provisions of this

ordinance or failure to comply with any of their requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$50.00 or imprisoned for not more than 30 days, or both. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the Town of Wake Forest from taking such other lawful action as is necessary to prevent or remedy any violation.

### 16.3.5 PENALTIES FOR STORMWATER VIOLATIONS

The remedies and penalties provided for violations of this ordinance, whether civil or criminal, shall be cumulative and in addition to any other remedy provided by law, and may be exercised in any order.

- A. Withholding of Certificate of Occupancy:** The Administrator or other authorized agent may refuse to issue a certificate of occupancy for the building or other improvements constructed or being constructed on the site and served by the stormwater practices in question until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.
- B. Disapproval of Subsequent Permits and Development Approvals:** As long as a violation of this ordinance continues and remains uncorrected, the Stormwater Administrator or other authorized agent may withhold and/or disapprove any request for permit or development approval or authorization provided for by this ordinance.
- C. Injunction, Abatements, Etc.:** The Stormwater Administrator, with the written authorization of the Town of Wake Forest Board of Commissioners, may institute an action in a court of competent jurisdiction for a mandatory or prohibitory injunction and order of abatement to correct a violation of this ordinance. Any person violating this ordinance shall be subject to the full range of equitable remedies provided in the General Statutes or at common law.
- D. Correction as Public Health Nuisance, Costs as Lien, etc.:** If the violation is deemed dangerous or prejudicial to the public health or public safety and is within the geographic limits prescribed by NCGS 160A-193, the Stormwater Administrator, with the written authorization of the Town of Wake Forest Board of Commissioners, may cause the violation to be corrected and the costs to be assessed as a lien against the land or premises where the violation occurred or such other property allowed under NCGS 160A-193(b).
- E. Stop Work Order:** The Stormwater Administrator may issue a stop work order to the person(s) violating this ordinance. The stop work order shall remain in effect until the person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein. The stop work order may be withdrawn or modified to enable the person to take the necessary remedial measures to cure such violation or violations.

### 16.3.6 PENALTIES FOR LANDSCAPING AND MAINTENANCE VIOLATIONS

- A. Fines and Stop Work Orders:** Fines, stop work orders, and delays in approvals shall apply for disturbing, damaging, removing, excessively pruning, and/or destroying protected vegetation, specimen trees, buffers, streetyards, Tree Save Areas or other landscaped areas as required by this section on private and public property. The table below indicates what type of enforcement mechanism shall be applied in different development scenarios.

Type of Violation		Type of Penalty			
		Payment of Fines	3 Year Delay in Approvals	5 Year Delay in Approvals	Replacement of Vegetation from Protected Areas
Exempt Property	Any existing vegetation removed from protected areas		•		•
Non-Exempt Property	Less than 75% of existing vegetation removed from protected areas	•	•		•
	75% or more of existing vegetation removed from protected areas	•		•	•

**B. Calculation of Fines:**

1. Fines shall be calculated according to the Comprehensive List of Fees and Charges, based on the square footage of the Critical Root Zone occupied by the damaged or removed vegetation within any areas required to be protected under this section, including but not limited to: Tree Save Areas, riparian buffer zones, buffers, streetyards, vehicular use areas, and other landscape areas. In determining the amount of the fine, the Administrator shall consider the degree and extent of harm caused by the violation, the cost of rectifying the damage, and whether the violation was committed willfully. Payment of these fines shall be made to the town at a time deemed appropriate by the Administrator.
2. A base fine per tree for any tree excessively pruned shall be applied in addition to the replacement of plant material using the “inch for inch” standard as determined by the Administrator.

**16.3.7 CIVIL PENALTIES; RECOVERY OF CIVIL PENALTIES**

The town may recover penalties in a civil action in the nature of a debt if the offender does not pay the penalty within 72 hours after being provided with a citation pursuant to Section 16.3. In addition, failure to pay the civil penalty within 72 hours may subject the violator to an additional citation and/or criminal charges after being provided with a citation pursuant to Section 16.3.

**16.3.8 CRIMINAL PENALTIES**

Pursuant to NCGS §14-4, any person, firm, or corporation convicted of violating the provisions of this ordinance shall, upon conviction, be guilty of a misdemeanor and shall be fined an amount consistent with the General Statutes.

**16.3.9 INJUNCTIVE OR OTHER RELIEF**

- A. In addition to, in combination with, or in lieu of, the other remedies set forth in this chapter, the Administrator, in the event of a violation of this ordinance, may request that the Town Attorney institute in a court of competent jurisdiction, an injunctive action, mandamus action, or other appropriate proceeding necessary to abate or prevent the violation and/or the completion or occupation of such building or structure, or use of land.
- B. The institution of an action for injunctive or other relief under this sub-section shall not relieve any party to such proceeding from any civil or criminal penalty prescribed by this chapter for violations of this ordinance.

#### 16.3.10 EQUITABLE REMEDY

In addition to the civil penalties set out above, any provision of this ordinance may be enforced by an appropriate equitable remedy issuing from a court of competent jurisdiction. The Administrator may apply to a judicial court of law for any appropriate equitable remedy to enforce the provisions of this ordinance. It is not a defense to the Administrator's application for equitable relief that there are other remedies provided under general law or this ordinance.

#### 16.3.11 ORDER OF ABATEMENT

In addition to an injunction, the Administrator may apply for and the court may enter into an order of abatement as part of the judgment in the case. An order of abatement may direct any of the following actions:

- A. Buildings or other structures on the property be closed, demolished, or removed;
- B. Fixtures, furniture or other moveable property be moved or removed entirely;
- C. Grass and weeds be cut or the property otherwise maintained;
- D. Improvements alterations, modifications or repairs be made; or
- E. Any other action be taken that is necessary to bring the property into compliance with this ordinance.

#### 16.3.12 EXECUTION OF COURT DECISIONS

- A. **Failure to Comply with an Injunction or Order of Abatement:** If the defendant fails or refuses to comply with an injunction or with an order of abatement within the time allowed by the court, he may be cited for contempt and the town may execute the order of abatement. The town shall have a lien on the property for the cost of executing an order of abatement, in the nature of a mechanic's or materialman's lien.
- B. **Cancellation of an Order of Abatement:** The defendant may secure cancellation of an order of abatement by paying all costs of the proceedings and by posting a bond for compliance with the order. The bond must be given with sureties approved by the Clerk of Superior Court in an amount approved by the judge before whom the matter was heard and shall be conditioned on the defendant's full compliance with the terms of the order of abatement within the time fixed by the judge. Cancellation of an order of abatement does not suspend or cancel an injunction issued in conjunction with the order.

#### 16.3.13 REVOCATION OF PERMITS

In the event of a violation of any regulation of this ordinance, the Administrator may stop any development of, use of, or activity on property by the revocation of applicable permits. The Administrator may revoke any permit (e.g. Building Certificate of Occupancy) by written notification to the permit holder when violations of this ordinance have occurred. Permits may be revoked when false statements or misrepresentations were made in securing the permit, work is being or has been done in substantial departure from the approved application or plan, there has been a failure to comply with the requirements of this ordinance, or a permit has been mistakenly issued in violation of this ordinance.

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