

**ARTICLE XV**

**ADMINISTRATION, ENFORCEMENT, COMPLAINTS AND REMEDIES**

1500. **Administration and Enforcement.** The Georgetown County Administrator shall delegate the administration and enforcement of the Zoning Ordinance to the Director of Planning and Code Enforcement. Such Director may designate a Zoning Administrator, however, the Director of Planning and Code Enforcement shall not divest him/herself of any of the powers and duties of the Zoning Administrator found within this ordinance. *(Amended Ord 2018-25)*

If the Zoning Administrator shall find that any of the provisions of this Ordinance are being violated, he or she shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. He or she shall order discontinuance of illegal uses of land, buildings or structures or of illegal additions, alterations, or structural changes, discontinuance of any illegal work being done; or shall take any other action authorized by this Ordinance to ensure compliance with or to prevent violation of its provisions. *(Amended Ord. 2009-77)*

1501. **Right of Entry for Purpose of Inspection.** Any official or employee of the County, Planning Commission, Zoning Board of Appeals, and/or their staff, required or authorized by this Ordinance to enforce any provisions herein, shall have the right to enter any premises for the purpose of making an inspection thereof, in accordance with law, at any reasonable time in pursuance of such duties. *(Amended Ord. 2009-77)(Amended Ord. 2013-56)*

1502. **Zoning Ordinance Violations.**

Zoning Ordinance violations include, but are not limited to, the following *(Amended Ord. 2009-77)*:

- 1502.1 To use or attempt to use land or a building in any way not consistent with the requirements of this Ordinance;
- 1502.2 To erect or attempt to erect a building or other structure in any way not consistent with the requirements of this Ordinance;
- 1502.3 To alter the approved architectural appearance of a building in the overlay zone without all such required approvals or permits;
- 1502.4 To install, use, or alter a sign in any way not consistent with the requirements of this Ordinance;
- 1502.5 The subdivision or development of land or any other activity requiring one or more approvals or permits under this Ordinance in any way inconsistent with any such approval or permit and any conditions imposed;

- 1502.6 To violate the terms of any approval or permit granted under this Ordinance or any condition imposed on such approval or permit;
  - 1502.7 To obscure or obstruct any notice required to be posted or otherwise given under this Ordinance;
  - 1502.8 To violate any provision of this Ordinance and lawful order issued by any person or entity under this Ordinance;
  - 1502.9 To continue any violation as defined above, with each day of continued violation to be considered a separate violation for purposes of computing penalties;
  - 1502.11 To vend in any way not consistent with the requirements of this Ordinance.
1503. **Complaints Regarding Violations and Remedies.** Whenever a violation of this Ordinance occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis thereof shall be filed with the Zoning Administrator. He or she shall record properly such complaint, immediately investigate and take whatever action is necessary to assure compliance with the Ordinance. *(Amended Ord. 2009-77)*
1504. **Remedies.** In the case when any building or structure is proposed to be or is erected, constructed, reconstructed, altered, maintained or used; or any land is proposed to be or is used in violation of this Ordinance, the Planning Director, the Zoning Administrator, and the County Attorney may take one or more of the following actions *(Amended Ord. 2009-77)*:
- 1504.1 **Oral Warning.** The Zoning Administrator will document oral warnings. Oral Warning records shall be maintained and kept in the office of the Zoning Administrator or his/her designee. An Oral Warning is not required to be given prior to the issuance of an Order to Remedy.
    - 1504.101 Immediate remedy shall be subject to a test of reasonableness with respect to the interval of time needed as determined by the Zoning Administrator, and the required action to be taken.
  - 1504.2 **Order To Remedy.** The Zoning Administrator shall issue an Order to Remedy notice. The notice shall contain the following: *(Amended Ord. 2009-77)*

- 1504.201      The address and legal description of the property;
  - 1504.202      Tax Id number of the property;
  - 1504.203      The section of the Zoning Ordinance being violated;
  - 1504.204      The nature and location of the violation;
  - 1504.205      The date by which such violation shall be removed or abated; and
  - 1504.206      A notice of the penalty for failing to remove or abate the violation.
- 1504.3      Stop Work Order. A stop work order shall be issued when the Zoning Administrator or his/her designee becomes aware of or comes upon a zoning violation in progress. The zoning violation will be indicated on the form and will be posted on the property. The violator must contact the zoning department within one day of issuance of the stop work order with a plan to remedy the violation. If the stop work order is violated, the Zoning Administrator or his/her designee shall impose penalties as outlined in Code Section 1505 of this ordinance. *(Amended Ord. 2009-77)*
- 1504.4      Summons and/or Citation. Once an Order to Remedy notice has been issued, and/or the violation is not corrected and the same violation recurs on the same lot or tract of land by the same person previously responsible, no further warning notice shall be given. Thereafter, such person deemed responsible will be issued a Summons and/or Citation to appear in a court of competent jurisdiction. *(Amended Ord. 2009-77)*
- 1504.5      Injunction, Abatement, or Other Actions. In addition to other remedies provided by law, the County may institute an injunction, abatement, or any other appropriate action or proceeding to prevent, enjoin, abate or remove such unlawful erection, construction, reconstruction, alteration, maintenance or use. *(Amended Ord. 2009-77)*
1505.      Penalties for Violation. Any person violating any provision of this Ordinance shall be guilty of a misdemeanor and, upon conviction, shall be fined up to the maximum amount allowed by State law or imprisoned up to 30 days in jail, as determined by a court of competent jurisdiction for each offense. Each day such violation continues shall constitute a separate offense. Nothing herein contained shall prevent the County from taking such other lawful action as is necessary to prevent or remedy any violation. *(Amended Ord. 2009-77)*

The provisions of this section shall not apply to violations of official duty imposed by this Ordinance upon any County official or employee as such, unless the provisions imposing the duty also expressly make the violation thereof unlawful or punishable.

1506. **Appeal to an Interpretation or Decision of the Zoning Administrator.** It is the intention of this Ordinance that all questions arising in connection with the enforcement of this Ordinance shall be presented first to the Zoning Administrator. When an applicant disagrees with the interpretation made by the Zoning Administrator, the applicant may file, with proper application, for an appeal and request a decision by the Zoning Board of Appeals, except that variances in Planned Developments must be considered as a major change and be processed by the Planning Commission and County Council. *(Amended Ord. 2009-77)*
1507. **Impoundment of Signs.** Signs are subject to removal without notice. The Zoning Administrator shall have the authority to remove without notice to the owners thereof, and impound for a period of ten (10) days, signs placed illegally within any street or highway right-of-way including telephone and utility poles. If, within ten (10) working days, the owner of the sign fails to contact the Zoning Administrator and get a permit for the sign, the Zoning Administrator shall have the sign removed and impounded without any further notice. *(Amended Ord. 2009-77)*