

Proposed Code Amendment Title 21, *Land Development Code*

Introduction

- Chapter 15, Sensitive Area Overlay Zone (SAO)
Adds New
Section 7: Violations, Enforcement & Penalties
- Interdepartmental Team: Community Development, Public Works, and City Attorney
- Establishes administrative enforcement mechanism to deter violations from occurring and establishes incentives to promptly cure violation

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Background

- There is a need for an efficient administrative procedure with penalties to deter violations from occurring in the SAO
- Civil and criminal courts are costly and time consuming, with uncertain and sometimes ineffective outcomes
- “*Administrative Code Enforcement*” (Chapter 1-4)
But no clear enforcement procedure and penalty fee schedule for SAO violations



Example of a Violation in the SAO

City Council



Example of a Violation in the SAO

City Council



Example of a Violation in the SAO

City Council

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Proposal

- Provides an administrative process and penalty fine schedule for violations that occur in the SAO
- Defines a violation as construction, grading, filling, clearing or land disturbance in the SAO without first obtaining appropriate (permit) approval from the City
- Establishes a penalty fine schedule for minor and major violations, a base fine and daily fine amount, and a fine abatement schedule for prompt cure

Proposed Penalty Fine Schedule

	Base Fine	Daily Fine (additional to base fine)
Minor Violation – Encroachment up to 250 square feet or less of affected area	\$1,000	\$10
Major Violation – Encroachment greater than 250 square feet of affected area	\$5,000	\$25

Proposed Fine Abatement Schedule

	Length of Time to Cure	Reduction to Total Daily Fine Amount
Minor Violation	30 Days	100%
	60 Days	75%
	120 Days	50%
	180 Days	25%
	Over 180 days	0%
Major Violation	90 Days	75%
	180 Days	50%
	365 Days	25%
	Over 365 Days	0%



Conclusion & Recommendation

- Planning Commission gave a positive recommendation to the City Council to amend Title 21, of the Sandy Municipal Code, relating to Violations, Enforcement and Penalties in the Sensitive Area Overlay zone.
 - No action required at this work session
 - Decision scheduled for October 3rd

~End~