



POLICY

Cancels:
See Also:

Mitchell Brells
Approved by: Mitchell Brells

DE POL – 6001 Enforcement on Un-permitted Sites

This policy applies to all staff that work for the Development Engineering Division. This policy applies only to properties that have performed work without a necessary site development, landslide hazard, shoreline erosion hazard, mine hazard, or floodplain, permit. The purpose of this policy is to document the methods and strategies used by Development Engineering to prevent violations and gain compliance with the County's regulations.

Pierce County's Phase 1 Municipal Stormwater Permit Requires Enforcement

In accordance with Section S5.C.5 of the NPDES permit issued to the county on February 16, 2007, the county is required to perform enforcement of our adopted regulations that relate to stormwater quantity and stormwater quality.

Strategies to Prevent Violations and to Achieve Compliance

- Educate owners about the potential adverse impacts their unauthorized development may have on the environment, their property and their neighbor's property;
- Provide technical support services and information to the public via the internet, telephone, brochures/handouts and/or meeting with customers in the Development Center;
- Educate property owners about permitting requirements and the permitting process;
- Provide guidance and interpretations to the owners and their consultants.
- Investigate complaints and pursue discovered violations.

Process For Resolving Violations

1. Investigate complaints related to unauthorized site development.
2. Process the complainant's information through the Pierce County Responds (PCR) system. This section of Public Works and Sewer Utilities serves as the central clearinghouse to report violations of development regulations.

3. PCR personnel enter the alleged violation into the Service Request System (SRS), a computerized data base, and when appropriate, assign a unique problem number to Development Engineering.
4. An enforcement engineer with Development Engineering begins an investigation and if a violation is confirmed, a Stop Work Order is posted at the site.
5. The investigation information is evaluated by the enforcement engineer who determines the most appropriate enforcement action to be taken. This generally involves sending a certified Correction Notice/Cease and Desist Order to the property owner(s) informing them of the violation(s), requirements to comply and a deadline by which to respond.
6. Once a site development application(s) is received provide plan review and construction inspection to the point of issuing a "final" inspection approval for the permit.

Enforcement Tools

Development Engineering would like to resolve enforcement actions in the easiest and most efficient manner as possible. However, if the violator does not cooperate with the compliance measures noted in our Correction Notice/Cease and Desist Orders, one or more of the following additional enforcement actions will be taken;

1. Issue civil penalties.
2. Record a Notice of Non-Compliance against the parcel.
3. Refer the case to the Prosecuting Attorney's office for criminal prosecution.

Project Data Management

Development Engineering will use three separate database systems to track violation cases. SRS is the main database for tracking violation cases. PALS+ is used to track permit applications and an Excel spreadsheet is used to supplement the SRS system and produce reports.

Staffing

The following staff resources within Development Engineering are dedicated to enforcement issues related to un-permitted development:

Civil Engineer 2 – Enforcement Engineer	1.0 FTE
Civil Engineer 3 – Enforcement Engineer Supervisor	0.3 FTE

The following additional resources within the Planning and Land Services Department are dedicated to enforcement issues that are related to un-permitted development. These resources work in concert with Development Engineering

and their work directly benefits enforcement efforts that aim to improve stormwater quantity and quality:

Environmental Biologist 2 -- Enforcement Biologist	0.5 FTE
Office Assistant 2	0.4 FTE

The Prosecuting Attorney Office of Pierce County – Civil Division provides support for Planning and Land Services Department staff involved in enforcing county regulations that seek to prevent impacts to stormwater quality and quantity:

Deputy Prosecuting Attorney	0.5 FTE
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The PCR section of Public Works and Utilities provides staff support in the form of complaint intake and distribution:

Office Assistant 2	0.3 FTE
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The Surface Water Management Division provides staff support for violations located in floodplain areas:

Civil Engineer 2	0.2 FTE
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