

## **CHAPTER 19: ENFORCEMENT**

### **SECTION 19.1 PURPOSE**

The purpose of this Chapter is to provide a process for enforcing the provisions of the Dodge County Zoning Ordinance and for determining and resolving Ordinance violations pursuant to the authority granted by Minnesota Statutes Chapter 394; or successor statutes.

### **SECTION 19.2 VIOLATIONS**

Violations include the establishment, creation, expansion, alteration, occupation, or maintenance of any Use, land development activity, or structure, performance standards, general development standard, etc. that violates or is inconsistent with any provision of the Dodge County Zoning Ordinance or any permit, order, agreement, approval, or other authorization issued there under.

### **SECTION 19.3 ADMINISTRATION**

The Zoning Administrator or other designated Environmental Services staff is authorized to administer and enforce this chapter. The Dodge County Sheriff's Office is also authorized to issue misdemeanor citations under this chapter in accordance with joint department policy and process. In the event of a violation or threatened violation of this ordinance, the Department, Sheriff's personnel, Planning Commission, County Board or any member thereof may institute appropriate actions or proceedings to prevent, restrain, correct, or abate the violations or threatened violations and it shall be the duty of the County Attorney to institute the action.

### **SECTION 19.4 VIOLATION A MISDEMEANOR**

Except where separately provided for in this Chapter or in state statute or rule, violation of the provisions of the Dodge County Zoning Ordinance or failure to comply with any of its requirements, including violations of conditions and safeguards established in connection with grants of variances, interim or conditional uses, administrative permits, sewage treatment permits/approvals, Board of Board of Adjustment order, or other certificates, approvals or permits issued pursuant to the provisions of this ordinance, shall constitute a misdemeanor and shall be punishable as defined by law. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

### **SECTION 19.5 REMEDIES**

In responding to a suspected violation, the county may utilize the full array of

enforcement actions available to it, including, but not limited to, prosecution and fines, after-the-fact permits, cease and desist, letter of warning, notice of violations, orders for corrective measures, etc. The County may also seek assistance and/or enforcement action from staff of state and federal agencies for violations of state and federal rules regarding programs the county administers and/or is otherwise mandated to enforce. The county may institute appropriate actions or proceedings, including injunctive relief to prevent, restrain, correct or abate the violations or threatened violations. The county may recover costs incurred for corrective action in a civil action in any court of competent jurisdiction or, at the discretion of the County Board, the cost may be certified to the County Auditor as a special tax against the real property. Any violation of this ordinance for which a citation has been issued shall constitute sufficient ground for denial of any application required by this ordinance or revocation of a permit that is related to the violation.

**SECTION 19.6**                      **FINES**

All fines for violation shall be paid to the county and shall be credited to the general revenue fund.