

**SECTION 13
ENFORCEMENT**

- 13.1 The Commission may appoint an agent to act in its behalf with the authority to inspect property, except a private residence, and issue notices of violation or cease and desist orders and carry out other actions or investigations necessary for the enforcement of these Regulations.
- 13.2a As a condition of a permit, the Commission, or its agent, may make regular inspections, at reasonable hours, of all regulated activities for which permits have been issued under these Regulations.
- 13.2b Failure to comply with conditions of approval will result in a fine in accordance with Town Ordinance #335.1 – Citations for violations of regulations and #335.2 – Penalties for offenses – which state a fine of not less than \$250 nor more than \$1,000 for each citation and suspension of the wetlands permit until applicable conditions are satisfied.
- 13.3 If the Commission, or its duly authorized agent, finds that any person is conducting or maintaining any activity, facility or condition which is in violation of the Act or these Regulations, the Commission, or its duly authorized agent, may:
- 13.3a Issue a written order by certified mail, return receipt requested, to such person conducting such activity or maintaining such facility or condition to immediately cease such activity or to correct such facility or condition. Within ten (10) days of the issuance of such order, the Commission shall hold a hearing to provide the person an opportunity to be heard and show cause why the order should not remain in effect. The Commission shall consider the facts presented at the hearing and within ten (10) days of the completion of the hearing, notify the person by certified mail that the original order remains in effect, that a revised order is in effect, or that the order has been withdrawn. The Commission shall publish notice of its decision in a newspaper having general circulation in the municipality. The original order shall be effective upon issuance and shall remain in effect until the Commission affirms, revises or withdraws the order. The issuance of an order pursuant to this Section shall not delay nor bar an action pursuant to Section 22a-44b of the General Statutes, as amended. The Commission may file a certificate of such order in the office of the Town Clerk of the Town in which the land is located and the Town Clerk shall record such certificate on the land records of such town. Such certificate shall be released upon compliance with such order.
- 13.3b Suspend or revoke a permit if it finds that the applicant has not complied with the terms, conditions or limitations set forth in the permit or has exceeded the scope of the work as set forth in the application including

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application plans. Prior to revoking any permit, the Commission shall issue notice to the permittee, personally or by certified mail, return receipt requested, setting forth the facts or conduct which warrants the intended action. At the public hearing, the permittee shall be given an opportunity to show that it is in compliance with its permit and any and all requirements for retention of the permit. The permittee shall be notified of the Commission's decision to suspend, revoke, or maintain a permit in person or by certified mail, within fifteen (15) days of the date of its decision.

- 13.3c Issue a notice of violation to such person conducting such activity or maintaining such facility or condition, stating the nature of the violation, the jurisdiction of the Commission, and prescribing the necessary action and steps to correct the violation including, without limitation, halting work in wetlands or watercourses, the Commission may request that the individual appear at the next regularly scheduled meeting of the Commission, to discuss the unauthorized activity, and/or provide a written reply to the notice or filing a proper application for the necessary permit. Failure to carry out the action(s) directed in a notice of violation may result in issuance of the order provided in Subsection 13.3a of this Section or other enforcement proceedings as provided by law.