

## CHAPTER XII – ENFORCEMENT

Section 1. General. No person may locate, erect, construct, reconstruct, enlarge, change, maintain, or use any building or land inconsistent with these Regulations. The provisions of these Zoning and Development Regulations shall be enforced by the Board of County Commissioners through injunction, mandamus, or abatement pursuant to WYO. STAT. ANN §§ 18-5-207.

Section 2. Inspection. Under the powers of this Chapter and with the permission of the landowner, the planning administrator shall have the authority to enter onto land within the unincorporated area of Sublette County to inspect alleged violations of these Zoning and Development Regulations.

Section 3. Revocation or Suspension of Permit. Revocation of suspension of any permit issued pursuant to these Zoning and Development Regulations shall be made under the procedures and standards of this Section.

- a. Procedure. If the planning administrator determines there are reasonable grounds for the revocation of suspension of a permit under the standards contained in this section, the planning administrator may set a hearing before the Board of County Commissioners which shall be a contested case hearing under the Wyoming Administrative Procedures Act. The planning administrator shall give the permittee written notification pursuant to the requirements of the Wyoming Administrative Procedures Act a minimum of thirty (30) days prior to the public hearings. The notification shall state the grounds for the revocation or suspension of the permit. The Board of County Commissioners shall conduct a hearing on the proposed revocation or suspension pursuant to the procedures set forth in the Wyoming Administrative Procedures Act. Within thirty (30) days after the close of the hearing, the Board of County Commissioners shall render a decision on the revocation of suspension of the permit based on the standards contained in Section 3.b. Written notification of the Board of County Commission's decision shall be provided, by the planning administrator, to the permittee by certified mail within thirty (30) days.
- b. Standards. A Permit shall be suspended or revoked if any one of the following findings is made by the Board of County Commissioners:
  1. The permit was issued on the basis of erroneous or misleading information or misrepresentation; or
  2. The development violates the terms or conditions of the permit or these Zoning and Development Regulations.

- c. Cumulative Remedy. The Board of County Commissioners authority to revoke or suspend, as provided in this Section, shall be in addition to any other remedy provided by law.

Section 4. Abatement of Violations. Violations of these Land Development Regulations may be abated under the procedures and standards of this Chapter, at the discretion of the planning administrator; however, this procedure shall not be the sole remedy available, and the County may enforce these Land Development Regulations in any manner provided by law.

- a. **Notification of Violation.** If the planning administrator determines that any development within unincorporated area of Sublette County is in violation of the provisions of these Land Development Regulations, the planning administrator **may initiate an enforcement action by providing** a violation notice to the landowner, stating the provision of these Zoning and Development Regulations being violated, and setting forth a reasonable period of time for the landowner to abate and correct the violation.
- b. **Agreement to Abate.** At the discretion of the planning administrator, **as authorized by the Board of County Commissioners**, the County may enter into an Agreement to Abate with a landowner found to be in violation of the Zoning and Development Regulations. The purpose of the Agreement to Abate is to provide additional time for a violation to be abated. While providing an assurance to the county that the violation will be abated by a specific date.
- c. **Failure to Abate a Violation.** Failure to abate a violation of the Zoning and Development Regulations **may result in enforcement action as provided by law, including, but not limited to, those found in Wyo. Stat. ANN §§ 18-5-201 et seq.**

Section 5. Penalties.

- a. **Fine.** The penalty for violation of the Sublette County Zoning and Development Regulations shall be a fine not more than seven hundred and fifty dollars (\$750) for each offense. Each day in which a violation continues shall be counted as a separate offense, except when an appeal is filed. The fine shall be held in abeyance of pending findings.
- b. **Failure to Obtain a Permit Prior to Commencing Development.** If a person commences development for which a ~~building~~ zoning & development permit is required without first having obtained the said permit, such person shall pay ~~twice the fee for said permit~~ **all applicable fees and penalties associated with said violation and make application for the appropriate Zoning and Development Permit(s).** The payment of such fees shall not relieve the person from fully complying with the requirements of the applicable standards set forth in the Zoning and Development Regulations; nor does it automatically secure the permit or preclude violation for given infraction.