

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: NEW BUSINESS
Meeting Date: September 1, 2020

Item Details

Presenter(s): Mike Deaton, Water Resources Director
Department(s): Water Resources

Requested Motion

Possible motion to waive the \$4,700 Civil Penalty that was assessed to the Center Street Pharmacy property owner on March 19, 2020. The property owner failed to submit an annual inspection report for the on-site stormwater control measure (SCM) in accordance with UDO Section 6.1.12(I) (1).

Approval Recommended?

N/A

Item Details

There is a long history of non-compliance at this property. The first SCM inspection report was required back in 2009 and has been due annually ever since that time. Over the past 11 years, none of the SCM inspection reports were submitted in a timely manner with a total of 7 Notices of Violations (NOVs) issued over that period. Constant reminders, follow up correspondence with owner and inspectors, and NOVs were the basis for the civil penalty assessment.

The property owner has stated hardships such as loss of rental income and associated accrual of taxes and utility bills on the subject property (in addition to the loss of personal income due to COVID-19) has made this Civil Penalty difficult to pay. The owner states that the SCM is now in compliance and gives assurance that he will not miss future SCM inspection deadlines.

Attachments

- Notice of Civil Penalty Assessment_3-19-2020.pdf

