



Board of Commissioners Meeting Agenda Item Submittal

Revised 7/27/2026

Item To Be Considered: **UDO Text Amendment to § 152.130-135 Enforcement and Review**

Board Meeting Date: **July 28, 2026**

Prepared By: **Rebecca Brehmer, CFM, CZO- Town Planner**

Overview: After recent discussion involving code enforcement efforts and the discovery of a discrepancy in UDO § 152.130-135 Enforcement and Review regarding code enforcement and Civil Penalties by the town attorney, a text amendment is proposed handling violations.

Recommended changes include eliminating the regulation of having the violation remedied within 48 hours of the notice of violation and instead the imposition of civil penalties could be deferred or suspended if the Administrator determines that the violator within a reasonable time (determined relative to the offense and curative measures required) takes steps to eliminate or cure the violation. **For clarification purposes, there is no \$1,500 cap on penalties. The ordinance gives the administrator the ability to clear/settle up to \$1,500 in penalties depending on situation and if the violation has been deemed clear.**

The Planning Board did recommend this text amendment to the Board of Commissioners at their July 7, 2026, regular meeting but expressed concerns about the following items for the Board to consider in their review:

- Not having a set timeframe for violations to be remedied and leaving it up to the administrator to enforce depending on the circumstance. **(Staff expressed this structure is to allow for proper enforcement of each violation case. Each scenario and how it can be handled/remedied can be very different.)**
- Capping the penalties at \$1,500, they feel it should be higher. **(Clarification was provided above on this miscommunication, there is no \$1,500 cap.)**

Background Attachment(s):

1. Ordinance 2026-O6
2. Comprehensive Plan Consistency Statement

Recommended Action:

1. Hold a public hearing
2. Motion to approve or deny Ordinance 2026-O6 amending § 152.130-135 Enforcement and Review.

Action: _____
