ARTICLE 7. ENFORCEMENT AND REVIEW

Section 7-1. Complaints Regarding Violations

Whenever the administrator receives a written, signed complaint alleging a violation of this Ordinance, he shall investigate the complaint, take whatever action is warranted, and inform the complainant in writing what actions have been or will be taken.

Section 7-2. Persons Liable

The owner, tenant, or occupant of any building or land or part thereof and any architect, builder, contractor, agent, or other person who participates in, assists, directs, creates, or maintains any situation that is contrary to the requirements of this Ordinance may be held responsible for the violation and suffer the penalties and be subject to the remedies herein provided subject to Article 8.

Section 7-3. Procedures Upon Discovery of Violations

(A) If the administrator finds that any provision of this Ordinance is being violated, he shall send a written notice to the person responsible for such violation, indicating the nature of the violation and ordering the action and time frame necessary to correct it. Additional written notices may be sent at the administrator's discretion subject to Article 8.

(B) The final written notice (and the initial written notice may be the final notice) shall state what action the administrator intends to take if the violation is not corrected and shall advise that the administrator's decision or order may be appealed to the Board of Adjustment in accordance with Section 5-1.

(C) Notwithstanding the foregoing, in cases when delay would seriously threaten the effective enforcement of this Ordinance or pose a danger to the public health, safety, or welfare, the administrator may seek enforcement without prior written notice by invoking any of the penalties or remedies authorized in Section 7-4.

Section 7-4. Remedies and Penalties for Violations

The Administrator may pursue one or more of the following remedies and penalties to prevent, correct, or abate a violation of this Ordinance. Use of one of the authorized remedies and penalties does not preclude the Administrator from using any other authorized remedies or penalties, nor does it relieve any party to the imposition of one remedy or penalty from imposition of any other authorized remedies or penalties.

(A) Permit Revocation. In accord with the provisions of this Ordinance, the Administrator or Building Inspector may revoke any permit or other authorization granted under this Ordinance for failure to comply with the provisions of this Ordinance or the terms and conditions of a permit or authorization granted under this Ordinance.

(B) Permit Denial. As long as a violation issued under this Ordinance remains uncorrected, the Administrator may deny or withhold approval of any permit or other authorization provided for in this Ordinance that is sought for the property on which the violation occurs.

(C) Civil Penalty. Violation of this Ordinance subjects the violator to a civil penalty in a monetary amount established by the Board of Commissioners. The Administrator may impose a civil penalty by giving the violator a written citation, either in person or by certified or registered mail, return receipt requested. The citation shall describe the nature of the violation, specify the amount of the civil penalty being imposed, and direct the violator to pay the civil penalty to the Town within 30 (thirty) days of the date the citation is received. If the violator fails to either pay the civil penalty or correct the violation within this time limit, the Administrator may institute a civil action in the nature of a debt in a court of competent jurisdiction to recover the civil penalty.

For purposes of assessing the amount of a civil penalty, each day the violation remains uncorrected starting 30 (thirty) calendar days following receipt of the correction order (or the receipt of the citation itself in the case of emergency enforcement) shall constitute a separate violation that subjects the violator to additional civil penalty.

Section 7-5. Permit Revocation

(A) A zoning, sign, conditional-use, or variance permit may be revoked by the permit-issuing authority (in accordance with the provisions of this section) if the permit recipient fails to develop or maintain the property in accordance with the plans submitted or any additional requirements lawfully imposed by the permit-issuing board.

(B) Before a conditional-use, zoning, sign, or variance permit may be revoked, all of the requirements of Article 6 shall be complied with. The notice shall inform the permit recipient of the alleged grounds for the revocation.

(C) Before a zoning, sign, conditional-use, or variance permit may be revoked, the administrator shall give the permit recipient ten days notice of intent to revoke the permit and shall inform the recipient of the alleged reasons for the revocation and of his right to obtain an informal hearing on the allegations. If the permit is revoked, the administrator shall provide to the permittee a written statement of the decision and the reasons therefor.

Section 7-6. Judicial Review

(A) Every final decision of the Board of Adjustment shall be subject to review by the Superior Court of Brunswick County by proceedings in the nature of certiorari.

(B) The petition for the writ of certiorari must be filed with the Brunswick County Clerk of Court within 30 days after the later of the following occurrences:

(1) A written copy of the board's decision (see Section 6-6) has been filed in the office of the planning department, and

(2) A written copy of the board's decision (see Section 6-6) has been delivered by personal service or certified mail, return receipt requested, to the applicant or appellant and every other aggrieved party who has filed a written request for such copy at the hearing of the case.

(C) A copy of the writ of certiorari shall be served upon the Town of Calabash.