



	Goochland County Policies and Procedures	Effective: 1 Oct 2014
	Department of Planning & Zoning	

ENFORCEMENT OF CONDITIONAL USE PERMIT CONDITIONS

This policy is to be used to provide direction to staff on how to address willful violations of Conditional Use Permit (CUP) conditions. The Zoning Administrator may use discretion with this policy depending on the type and/or number of violations.

1. Complaint Received

- Enforcement of CUP conditions will be complaint driven.
- No anonymous complaints will be accepted.
- Complaints may be received by mail, email, or phone call.
- Multiple violations at same event or on same property are considered one violation.
- Complaint is entered into the code enforcement tracking system.

2. Investigative Process – An initial investigation shall be conducted within two (2) business days after receiving the complaint. During the initial investigation, staff gathers information and makes determination of the validity of the complaint.

3. Enforcement Action

- **1st validated violation** – Staff contacts permit holder regarding violation. Permit holder is advised of the violation and directed to not allow a recurrence. If violation is ongoing, permit holder is requested to immediately correct the violation. If needed, staff may schedule a meeting to discuss compliance. Phone call and/or meeting shall be documented by staff and placed in permit file.
- **2nd validated violation** – Formal Notice of Violation (NOV) may be sent to permit holder and property owner (if different) – letter states nature of violation and abatement measures. If appropriate, applicant may be required to submit a written corrective action plan.
- **3rd validated violation during 12 month period** – If a determination is made that there is a “willful disregard” to operate within the conditions set forth in the CUP, staff may begin the process of legal enforcement action or may seek Board revocation of the Conditional Use Permit.
- **3rd validated violation after 12 month period** – Formal notice is sent to permit holder per 2nd violation steps above. In addition, a meeting with the property owner and permit holder is scheduled to review conditions and compliance measures. Property owner or permit holder is advised that if another violation occurs, staff will begin process to seek legal enforcement action or Board revocation of the Conditional Use Permit.
- **Any subsequent violation after 12 month period**: Begin legal enforcement action or CUP revocation process.