SECTION 14: ENFORCEMENT

14.1 The Commission may appoint an agent or agents to act in its behalf with the authority to enter and inspect property, except inside a private residence, and issue notices of violation or cease and desist orders and carry out other actions or investigations necessary for the enforcement of these regulations.

14.2 The Commission or its agent may make regular inspections, at reasonable hours, of all regulated activities for which applications, wetland and watercourse determination requests and permits have been received or issued under these regulations.

14.3 If the Commission, its duly authorized agent or wetlands enforcement officer finds that any person is conducting or maintaining any activity, facility or condition which is in violation of the Act or these regulations, the Commission, its duly authorized agent or wetlands enforcement officer may:

A. Issue a written order by certified mail, return receipt requested, to such person conducting such activity or maintaining such facility or condition to immediately cease such activity or to correct such facility or condition. Within ten (10) calendar days of the issuance of such order the Commission shall hold a hearing to provide the person an opportunity to be heard and show cause why the order should not remain in effect. The Commission shall consider the facts presented at the hearing and within ten (10) days of the completion of the hearing notify the person by certified mail, return receipt requested, that the original order remains in effect, that a revised order is in effect, or that the order has been withdrawn. The Commission shall publish notice of its decision in a newspaper having general circulation in the municipality. The original order shall be effective upon issuance and shall remain in effect until the Commission affirms, revises or withdraws the order. The issuance of an order pursuant to this section shall not delay or bar an action pursuant to Section 22a-44(b) of the General Statutes, as amended.

B. Suspend or revoke a permit if it finds that the applicant has not complied with the terms, conditions or limitations set forth in the permit or has exceeded the scope of the work as set forth in the application including application plans. Prior to revoking any permit, the Commission shall issue notice to the permittee, personally or by certified mail, return receipt requested, setting forth the facts or conduct which warrants the intended action. At a public hearing the permittee shall be given an opportunity to show that he or she is in compliance with the permit and any and all requirements for retention of the permit. The permittee shall be notified of the Commission's decision to suspend, revoke, or maintain a permit by personal service or certified mail, return receipt requested, within fifteen (15) days of the date of its decision. The issuance of an order pursuant to this section shall not delay or bar an action pursuant to Section 22a-44(b) of the General Statutes, as amended. The Commission shall publish notice of the suspension or revocation in a newspaper having general circulation in the municipality.

C. Issue a notice of violation to such person conducting such activity or maintaining such facility or condition, stating the nature of the violation and the jurisdiction of the Commission and prescribing the necessary action and steps to correct the violation, including, without limitation, halting work in wetlands, watercourses, upland review areas or other areas that may effect wetlands and watercourses. The Commission may request that the individual appear at the next regularly scheduled meeting of the Commission to discuss the unauthorized activity and/or provide a written reply to the notice or file an application for the necessary permit. Failure to carry out the action(s) directed in a notice of violation may result in issuance of the order provided in subdivision 14. 3A or other enforcement proceedings as provided by law. Each day of violation shall be considered as a separate offence.