

SECTION 22: COMPLIANCE REPORTING AND MONITORING

(Added by Ord. No. 3030, effective June 24, 1993)

PURPOSE A.

The purpose of this Section is to establish a program to monitor and ensure compliance with conditions imposed as part of the approval of special use permits, planned unit development permits or variances for development projects in conformance with the policies, standards and objectives of this Ordinance, the County Ordinance Code and the County General Plan.

COMPLIANCE REPORTING AND MONITORING SCHEDULE B.

In order to ensure that the proposed development project conforms to the policies, standards and objectives of this Ordinance, the County Ordinance Code and the County's General Plan, the County officer or body approving any permit or variance for which conditions have been adopted or made a part of the permit or variance shall adopt a Compliance Reporting or Monitoring Schedule for such project, and such compliance reporting or monitoring schedule shall be imposed as a condition of such permit or variance and may be combined with or encompass any CEQA mitigation reporting or monitoring program required as part of a project approval under the Tulare County Guidelines implementing the California Environmental Quality Act of 1970, as amended.

FEES C.

Each compliance reporting or monitoring schedule shall be prepared by the County Planning and Development staff or by a consultant retained for such purpose and shall be paid for by the applicant or his/her/its successor(s)-in-interest in accordance with the fees established in Section 18 of this Ordinance.

COMPLIANCE REPORTING AND MONITORING MANAGER D.

The County Planning and Development Director or his/her designee shall be the compliance reporting and monitoring program manager. As such, he or she shall coordinate preparation of compliance reporting or monitoring schedules and compliance verification efforts by County staff; shall be the contact person through which other public agencies may participate in such programs; and shall resolve conflicts between the applicant, members of the public and County staff as to any issues arising in regard to a compliance reporting or monitoring schedule, except for those issues which are more appropriately raised in the regular County public hearing and decision-making procedures on any given permit or variance.

AGREEMENTS E.

In the case of phased, major or complex projects, the County officer or body approving the permit or variance may determine that a compliance reporting or monitoring agreement is required in order to carry out the compliance reporting or monitoring schedule and compliance verification. Such agreement shall be negotiated between the program manager or his/her

designee and a qualified consultant, paid for by the applicant in accordance with the provisions of Section 18 hereof, and shall be presented for approval to the County officer or body taking final action on the requested project approval prior to said final action.

VIOLATIONS F.

Failure to comply with any provisions of a compliance reporting or monitoring schedule made a condition of any permit or variance approval, or failure to pay any compliance reporting or monitoring schedule fees established by Section 18 hereof, shall be deemed to be a violation of the conditions of the permit or variance and shall subject the applicant and/or owner to enforcement action and to such penalty as is otherwise provided by County ordinance or state law.