

(1) **Maximum dBA, Continuous Noise.**

Residential	55
Commercial	60
Industrial	70

Continuous noise shall be measured using the slow meter response of the sound level meter.

(2) **Maximum dBA, Impact Noise.**

Residential	60
Commercial	70
Industrial	80

Impact noise shall be measured using the fast meter response of the sound level meter. Impact noises are intermittent sounds of a single pressure peak or a single burst (multiple pressure peaks) for a duration usually less than one second. Examples of impact noise sources are a punch press, drop forge hammer, or explosive blasting.

(C) **Exemptions.**

(1) The limitations stated above shall not apply within any district nor within any area subject to a Noise Exposure Forecast in excess of the 30 level as indicated on the "Noise Exposure Forecast (NEF) Areas in the Vicinity of Dulles International Airport for 1975 Operations, September 1969" as prepared by FAA. The boundaries of such noise areas within Loudoun County are indicated on the Zoning Map.

(2) Sound created by the operation of power equipment, such as power lawn mowers, chain saws, and similar equipment, between the hours of 7 a.m. and 9 p.m. shall not be regulated by these noise standards.

**5-1508 Steep Slope Standards.**

(A) **Purpose and Intent.** Improper uses and disturbances in naturally occurring steep slope areas cause erosion, result in structural failure of structures and roads, and lead to downstream flooding and other hazards. Development in these areas also requires higher volumes of cut and fill and greater removal of vegetation than on flatter lands. The provisions in this Section 5-1508, including a general prohibition of land disturbing activities on naturally occurring very steep slope areas greater than 25% and performance standards for development on steep slope areas of 15% or greater, are intended to specifically promote the following:

- (1) Undertake development in a manner that will protect life and property from hazards due to slope, unstable and erodible soils, earth movement, and other geologic and hydrologic hazards;
- (2) Reduce potential for increased erosion, sedimentation, and surface runoff, and the resulting adverse impacts on water quality;
- (3) Promote a safe means of ingress and egress for vehicular and pedestrian traffic in sloped areas;
- (4) Preserve the visual quality of steep slope areas, which are a valuable natural and economic resource; and
- (5) Encourage innovative and imaginative building techniques to create structures and site plans that are suited to sloped terrain.

(B) **Applicability and Exemptions.**

(1) **Applicability.**

- (a) **General Rule.** Except as exempted in Section 5-1508(B)(2) below, this section shall apply to all land disturbing activity, including new development and subdivision, proposed on areas of properties containing steep slope areas as that term is defined in Section 5-1508(C) below.
- (b) **Steep Slopes in the MDOD—Conflicting Provisions.** This Section 5-1508 shall apply to steep slope areas, as defined in Section 5-1508(C) below, that are located within the MDOD - Mountainside Development Overlay District and subject to the standards in the MDOD, Section 4-1600. However, to the extent that the standards in this Section 5-1508 conflict with provisions in the MDOD (Section 4-1600), the standard that affords the steep slope areas the greater level of protection shall apply.

(2) **Exemptions.**

- (a) **Single Family Dwelling on Existing Legal Lot.** Construction of a single residential use on a legal lot existing as of June 16, 1993, is exempt from the requirements of Section 5-1508(D). Such exemption shall not apply to non-residential uses. Development on such lot shall be subject to all standards in Sections 5-1508(E) and 5-1508(F).

(b) **Agricultural Operations.** In order to be considered a lawful agricultural operation under Section 5-1503(B), to which Steep Slope Standards shall not apply, such agricultural operation shall be conducted only in accordance with the Facilities Standards Manual and a Conservation Farm Management Plan approved by the Loudoun County Soil and Water Conservation District or the U.S. Natural Resources and Conservation Service that includes best management practices. Structures associated with agricultural operations shall not be exempt from these provisions. Agricultural operations not conducted in accordance with such approved Conservation Farm Management Plan shall not be considered a lawful agricultural operation and shall not be exempt from Steep Slope Standards.

(i) **Timber Harvesting.** In order for timber harvesting or other silvicultural activities to be considered a lawful agricultural operation under Section 5-1503(B), to which Steep Slope Standards shall not apply, such timber harvesting and other silvicultural activities shall be conducted only in conformance with a Forest Management Plan that meets the requirements of the Facilities Standards Manual, includes best management practices, and is approved by the County. All timber harvesting shall also meet the notification requirements of Section 10.1-1181.2.H of the Code of Virginia. Within very steep or moderately steep slope areas, only those roads shown on the approved Forest Management Plan shall be constructed or used for timber harvesting and other silvicultural activities. Timber harvesting or other silvicultural activities not conducted in accordance with such approved Forest Management Plan, to include the construction or use of roads not shown on the approved Forest Management Plan, or timber harvesting that has not met the notification requirements of Section 10.1-1181.2.H of the Code of Virginia, shall not be considered a lawful agricultural operation and shall not be exempt from Steep Slope Standards.

(C) **Establishment of Steep Slope Areas.**

- (1) **Identification of Steep Slope Areas.** Naturally occurring steep slope areas are classified into one of the following two categories:
  - (a) **Very Steep Slope Areas.** This category of steep slope areas includes land areas with naturally occurring slopes greater than 25%.
  - (b) **Moderately Steep Slope Areas.** This category of steep slope areas includes only land areas with naturally occurring slopes from 15% to 25%.
  
- (2) **Minimum Size of Steep Slope Area.**
  - (a) For Non-Suburban Zoning Districts under Article 2, and Planned Development-Countryside Village (PD-CV) and the Planned Development Rural Village (PD-RV) Zoning Districts under Article 4, of this Ordinance, steep slope standards shall not apply to contiguous steep slope areas that are less than 5,000 square feet in land area, or less than 15 feet in width. Where the entire contiguous steep slope area is equal to or greater than 5,000 square feet in land area, but the total very steep slope area is less than 5,000 square feet in land area, the entire contiguous steep slope area shall be subject to the development standards for moderately steep slope areas provided in Section 5-1508(F).
  - (b) For Suburban Zoning Districts under Article 3, and Planned Zoning Districts and Route 28 Corridor Zoning Districts under Article 4, of this Ordinance, excluding the PD-CV and the PD-RV Zoning Districts, steep slope standards shall not apply to contiguous steep slope areas that are less than 10,000 square feet in land area, or less than 15 feet in width. Where the entire contiguous steep slope area is equal to or greater than 10,000 square feet in land area, but the total very steep slope area is less than 10,000 square feet in land area, the entire contiguous steep slope area shall be subject to the development standards for moderately steep slope areas provided in Section 5-1508(F).
  - (c) For purposes of calculating the total land area of contiguous steep slopes in subsections (a) and (b) above, the entire contiguous steep slope area shall be included, regardless of the number of individual lots or different land ownerships involved.

(D) **Uses and Activities.**

(1) **Very Steep Slope Areas.**

- (a) **Applicability.** This Section 5-1508(D)(1) applies to lands within very steep slope areas, as defined in Section 5-1508(C)(1)(a) above.
- (b) **General Prohibition on Land Disturbance.** Land disturbing activities, including but not limited to clearing, excavation, grading, construction, reconstruction, and investigative land disturbing activities such as test wells, are prohibited on any very steep slope area, except as allowed under Section 5-1508(D)(1)(c) and (d) below.
- (c) **Permitted Uses and Activities.** The following uses are permitted on very steep slope areas, subject to the applicable development standards in Section 5-1508(E) below:
  - (i) Passive recreation uses, including trails for non-motorized use only.
  - (ii) Open space, and other conservation uses.
  - (iii) Limited land-disturbing activity not to exceed 5,000 square feet in the aggregate on any property for the sole purpose of surveying and land investigation including the minimum land disturbance necessary for those studies required by the Facility Standards Manual. Heavy equipment may be used only when no other less-invasive method is feasible to conduct or undertake such limited land-disturbing activity.
  - (iv) Roads, driveways, minor utilities, water lines serving an individual water supply system, or septic lines serving an individual sewage disposal system in accordance with the Facilities Standards Manual and the development standards in Section 5-1508 (E)(5).
  - (v) Public water utility drinking water supply reservoirs, including, without limitation, reclaimed quarries.
  - (vi) Sanitary Sewer lines, pursuant to Section 5-1508(E)(8) below.

(vii) Water lines pursuant to Section 5-1508(E)(8) below.

(d) **Special Exception Uses and Activities.** The following uses, when listed in the underlying zoning district, and overlay zoning district if applicable, may be permitted within very steep slope areas by the Board of Supervisors by Special Exception approval, and, if approved, may be subject to certain conditions, pursuant to the provisions of Section 6-1300. All uses shall be subject to Section 5-1508(D)(1)(e) and the development standards of Section 5-1508(E).

(i) Rural Recreation Establishment, Outdoor, provided the use is dependent on very steep slope areas (the use uniquely requires a site located within a steep slope area and is not compatible with a site that lacks very steep slope areas).

(ii) Recreation Establishment, Outdoor, provided the use is dependent on Very Steep Slope Areas (the use uniquely requires a site located within a steep slope area and is not compatible with a site that lacks very steep slope areas).

(iii) Community, neighborhood, or regional park, active recreational uses, provided the use is dependent on very steep slope areas (the use uniquely requires a site located within a steep slope area and is not compatible with a site that lacks very steep slope areas).

(iv) Agricultural Structures when no other alternatives are feasible or available.

(v) Expansion of Commercial Uses and Structures existing as of June 16, 1993, when no other alternatives are feasible or available.

(vi) Within Suburban Zoning Districts under Article 3, and Planned Zoning Districts and Route 28 Corridor Zoning Districts under Article 4, of this Ordinance, excluding the PD-CV and the PD-RV Zoning Districts, land disturbance less than 5,000 square feet within very steep slope areas when associated with a Permitted, or an approved Minor Special Exception or Special

Exception, use in the underlying zoning district, and overlay zoning district if applicable.

- e. **Standards For A Special Exception.** In considering applications for a Special Exception, in addition to the issues for consideration under Section 6-1309, the Board of Supervisors shall make findings that all of the following required standards have been met:
- i. The proposed use shall not increase the danger to life and property due to increased destabilization of steep slope areas.
  - ii. The proposed use and/or structure shall be located and designed to limit its susceptibility to slippage or slope failure, and alternative locations that would not be subject to slippage or slope failure shall not be available.
  - iii. Land disturbance within very steep slope areas shall be limited to the minimum necessary to locate the proposed use, and any disturbed areas that are not covered by paving, stone, or other solid materials shall be revegetated.
  - iv. Clearing of vegetation within very steep slope areas shall be limited to the minimum necessary to locate the proposed use.
  - v. Land disturbance within very steep slope areas with slopes greater than 50% shall not be permitted for any structure.
  - vi. Land disturbance within very steep slope areas with slopes greater than 50% shall not be permitted unless the use, exclusive of any structure, is dependent on such very steep slope area (the use uniquely requires a site within an area of very steep slopes greater than 50%).

(2) **Moderately Steep Slope Areas.**

- (a) **Applicability.** This Section 5-1508(D)(2) applies to lands within moderately steep slope areas, as defined in Section 5-1508(C), above.
- (b) **Permitted Uses and Activities.** All Permitted uses listed in the underlying zoning district, and overlay

district if applicable, subject to the review procedures and standards in this Ordinance.

- (c) **Special Exception Uses on Moderately Steep Slope Areas.** All Minor Special Exception and Special Exception uses listed in the underlying zoning district, and overlay district if applicable, may be permitted within moderately steep slope areas by the Board of Supervisors by Special Exception approval, and if approved, may be subject to certain conditions, pursuant to the provisions of Section 6-1300.

- (E) **Development Standards - Very Steep Slope Areas.** Development and uses on very steep slope areas shall be planned to minimize disturbance to soil geology, hydrology, and environmental features. At a minimum, except for the development of roads shown on the Countywide Transportation Plan and public water utility drinking water supply reservoirs, including, without limitation, reclaimed quarries, all land development applications and land disturbing activities on any parcel of land which includes within its boundaries very steep slope areas shall comply with the Facilities Standards Manual and the following standards:

- (1) **Locational Clearance.** The applicant shall obtain a locational clearance from the Department of Building and Development. The applicant shall submit a map, plan, or plat showing the location and extent of the very steep slope areas within the area to be disturbed, as well as the location and extent of land disturbing activities and mitigation measures including the proposed building sites, paved areas, drainfields, well locations, and other uses.
- (2) **Grading Permit.** If very steep slope areas are proposed to be disturbed, a grading permit shall be required for all land disturbing activity in accordance with Chapter 1220 of the Codified Ordinances, notwithstanding the exceptions listed in the definition of “land disturbing activity” in Chapter 1220 of the Codified Ordinances.
- (3) **Geotechnical Study.** All grading and land disturbing activities on very steep slope areas shall be addressed in a geotechnical study prepared in accordance with the Facilities Standards Manual.
- (4) **Grading for Accessory Building Pads Prohibited.** Separate building pads for accessory buildings and structures other than private garages, such as tennis courts, swimming pools,



outbuildings, and similar facilities, shall be prohibited on very steep slope areas.

(5) **Roads, Driveways, Minor Utility, Water Lines Serving an Individual Water Supply System or Septic Lines Serving an Individual Sewage Disposal System.**

- (a) All roads and driveways shall follow natural contour lines to the maximum extent feasible.
- (b) No roads, driveways, minor utilities, water lines serving an individual water supply system or septic lines serving an individual sewage disposal system shall disturb very steep slope areas with slopes greater than 50%.
- (c) Roads shall not disturb very steep slope areas with slopes greater than 25% to 50%, unless no other alternative exists to access a legal lot of record approved prior to June 16, 1993.
- (d) Where directional drilling can be utilized to install minor utilities, water lines serving an individual water supply system or septic lines serving an individual sewage disposal system across very steep slope areas and the drilling start and end locations do not result in disturbance to very steep slope areas, the crossing of very steep slope areas by means of directional drilling shall be permitted and the development standards of Section 5-1508(F) shall not apply.
- (e) Driveways, minor utilities, water lines serving an individual water supply system or septic lines serving an individual sewage disposal system shall not disturb very steep slope areas with slopes greater than 25% to 50%. However, a short run of no more than 200 feet or 10% of the entire length of the driveway, minor utility, water line and/or septic line, whichever is greater shall be allowed to disturb very steep slope areas with slopes greater than 25% to 50%, based on a geotechnical study or findings from a geotechnical professional that:
  - (i) Such driveway, minor utility, water lines and/or septic lines will not have significant adverse visual, environmental or safety impacts, or appropriate engineering or other measures will be taken by the developer to substantially mitigate any such adverse impact; and

- (ii) No alternative location for such access, minor utility, water line and/or septic line is feasible or available.
  - (f) Shared driveways shall be required to the maximum extent feasible where their use will minimize or eliminate land disturbance. Shared driveways shall be subject to a common access easement.
  - (g) The grade of private roads and driveways shall comply with the Facilities Standards Manual.
  - (h) Storm drainage and culvert design shall comply with the Facilities Standards Manual.
- (6) **Revegetation Required.** Any very steep slope areas that are disturbed in excess of the limits of disturbance approved for a permitted use shall be revegetated.
- (7) **Stormwater Best Management Practices.** The applicant shall incorporate stormwater management best management practices and erosion and sediment control practices in accordance with Chapter 1096 of the Codified Ordinances, Chapter 1220 of the Codified Ordinances, and the Facilities Standards Manual, and such practices shall be approved by the Department of Building and Development prior to approval of a zoning permit.
- (8) **Sanitary Sewer and Water Line Standards.**
- (a) No sanitary sewer and/or water lines shall disturb very steep slope areas with slopes greater than 50%.
  - (b) Water lines shall be located within or directly adjacent to the right-of-way of existing or approved roads. The development standards of this Section shall not apply to such water lines.
  - (c) Where directional drilling can be utilized to install sanitary sewer and/or water lines across very steep slope areas and the drilling start and end locations do not result in disturbance to very steep slope areas, the crossing of very steep slope areas by means of directional drilling shall be permitted and the development standards in this section shall not apply.
  - (d) Land disturbing activities in very steep slope areas with slopes greater than 25% to 50% shall be avoided to the

maximum extent feasible when determining the alignment of gravity sanitary sewer and/or water lines.

- (e) For the purpose of these development standards, the very steep slope areas designated on the County base planimetric and topographic maps may be used.
- (f) Sanitary sewer and/or water lines shall not cross more than 200 feet of any one contiguous very steep slope area. This maximum distance may be increased by the Zoning Administrator, up to an additional 300 feet, provided that the longer crossing distance is found to reduce or have minimal impacts to other environmentally sensitive areas (streams, wetlands, riparian buffers, etc.), as demonstrated by applicable information and/or reports/studies requested by the Zoning Administrator, including, but not limited to: 1) geotechnical study, 2) geophysical study, 3) preliminary soils review, 4) U.S. Army Corps of Engineers approved wetland delineation, 5) tree cover inventory, 6) Phase 1 archeological study, and 7) rare, threatened, and endangered species survey. If the proposed crossing exceeds 200 feet and the Zoning Administrator finds that the crossing does not minimize impacts to other environmentally sensitive areas or the proposed crossing exceeds a total of 500 feet, the approval of a Minor Special Exception application shall be required in accordance with Section 6-1300 of this Ordinance.
- (g) If blasting is required for any portion of the sanitary sewer and/or water line installation, a blasting plan that describes measures that will be utilized to minimize impacts on environmentally sensitive areas must be provided as part of the grading plan.
- (h) Sanitary sewer and/or water lines shall be aligned in a manner that minimizes disturbance to very steep slope areas with existing tree cover. In situations where sanitary sewer lines result in the clearing of vegetative cover other than open grassland/pastureland, stabilization plans for temporary construction easements shall include reforestation and tree protection in accordance with the Facility Standards Manual. Such reforestation and tree protection shall be reviewed and approved by the County Urban Forester.
- (i) Where very steep slope areas cannot be avoided, construction methods that minimize easement widths

and limits of disturbance shall be employed to the maximum extent feasible.

- (j) Prior to approval of grading plans, the public entity responsible for the maintenance and operation of the proposed sanitary sewer and/or water line shall certify that the grading plan minimizes impacts to very steep slope areas and shows practical limits of construction.
- (k) To minimize erosion and sediment control failure associated with sliding debris and the operation of machinery within a confined area, two rows of super silt fence shall be installed as a perimeter control on the downslope side of the disturbed area. The inside row may be installed without filter fabric. The minimum spacing between the rows shall be 2-3 feet to allow for maintenance.
- (l) At a minimum, stabilization of disturbed areas shall consist of Treatment 1 as described in Standard and Specification 3.36 (Soil Stabilization Blankets & Matting) in the Virginia Erosion and Sediment Control Handbook. In problem areas, as determined by the County, Treatment 2 can be required.

(F) **Development Standards - Moderately Steep Slopes.** All land development applications and land disturbing activities on any parcel of land which includes within its boundaries moderately steep slope areas shall comply with the Facilities Standards Manual and the following standards:

- (1) **Locational Clearance.** The applicant shall obtain a locational clearance from the Department of Building and Development. The applicant shall submit a map, plan, or plat showing the location and extent of moderately steep slope areas within the area to be disturbed, as well as the location and extent of land disturbing activities and mitigation measures including the proposed building sites, paved areas, drainfields, well locations, and other uses.
- (2) **Grading Permit.** If moderately steep slope areas are proposed to be disturbed, a grading permit shall be required for all land disturbing activity in accordance with Chapter 1220 of the Codified Ordinances, notwithstanding the exceptions listed in the definition of “land disturbing activity” in Chapter 1220 of the Codified Ordinances.

- (3) The applicant shall incorporate stormwater management best management practices and erosion and sediment control practices in accordance with Chapter 1096 of the Codified Ordinances, Chapter 1220 of the Codified Ordinances, and the Facilities Standards Manual into the permit application, and such practices shall be approved by the Department of Building and Development prior to the approval of a zoning permit.

(G) **Modification of Development Standards** – The modification of the development standards of Sections 5-1508(E) and (F) may be permitted by the Board of Supervisors by Special Exception approval, and, if approved, may be subject to certain conditions, pursuant to the provisions of Section 6-1300. The application for such modification shall include materials demonstrating how the modification will be used in the design of the project. In considering an application for such modification, the Board of Supervisors shall make findings that all of the following required standards have been met:

- (1) The modification shall achieve an innovative design, improve upon the existing regulations, or otherwise exceed the public purpose of the existing regulation.
- (2) The modification shall not be for the primary purpose of achieving the maximum density on a site.
- (3) The modification shall not increase the danger to life and property due to increased slope destabilization.
- (4) The proposed use and/or structure associated with the modification request shall be located and designed to limit its susceptibility to slippage or slope failure, and alternative locations that would not be subject to slippage or slope failure shall not be available.
- (5) Land disturbance shall be limited to the minimum necessary to locate the proposed use and/or structure, and any disturbed areas that are not covered by paving, stone, or other solid materials shall be revegetated.
- (6) Clearing of vegetation within very steep slope areas shall be limited to the minimum necessary to locate the use.
- (7) Land disturbance within very steep slope areas with slopes greater than 50% shall not be permitted for any structure.
- (8) Land disturbance within very steep slope areas with slopes greater than 50% shall not be permitted unless the use, exclusive of any structure, is dependent on such very steep

slope area (the use uniquely requires a site within an area of very steep slopes greater than 50%).

- (9) The proposed use and/or associated land disturbing activities associated with the modification request shall be setback at least one hundred (100) horizontal feet from either side of any ridgeline, unless the area within such setback is the location on the property with the least adverse impact to steep slope areas and the MDOD - Mountainside Development Overlay District.
- (10) The proposed use and/or associated land disturbing activities associated with the modification request shall be setback at least one hundred (100) horizontal feet from the first emergence of any perennial spring.

## **5-1509**

### **Administration of Performance Standards.**

- (A) **Zoning Permit Procedure.** Before the Zoning Administrator issues a zoning permit, the applicant shall furnish sufficient information to enable the Zoning Administrator to ensure that all performance standards and site development standards set forth in this ordinance can and will be complied with. The Zoning Administrator, in order to determine whether or not the applicant will meet such standards, may require the applicant to submit the following information:
  - (1) A plot plan signed by the applicant and drawn to scale showing the location of all existing and proposed structures, drives, parking lots, waste disposal areas, bulk storage areas, streets, streams, or other significant features on or within two hundred (200) feet of the proposed site, not including public right-of-ways or easements.
  - (2) A description of the activity to be conducted regarding waste products, external effects or other conditions which are regulated herein; provided however, that the applicant shall not be required to reveal any trade secrets or sufficient detail with regard to a process which would cause any secret process or manufacturing procedure for a closely guarded proprietary compound or product to become public knowledge and be available to competitors.
  - (3) The type and location of abatement devices to control, or recording instruments to measure, conformance with required standards, not including devices and instruments which are inherent in the manufacturing process.
  - (4) Such other data and certification as may reasonably be required, in addition to the informational requirements of Section 6-1000, by the Zoning Administrator to reach a determination.

- (B) All information and evidence submitted in applications to indicate conformity to performance standards shall constitute a certification and an agreement on the part of the applicant that the proposed use can and will conform to such standards at all times.

**5-1510 Enforcement of Performance Standards.**

- (A) **Intent Concerning Determinations Involved in Administration and Enforcement of Performance Standards.** Determinations necessary for administration and enforcement of performance standards set forth in this article range from those which can be made by a reasonable person using normal senses and without the need for any equipment to those requiring great technical competence and complex equipment for precise measurement. It is the intent of this ordinance that:
  - (1) Where determinations can be made by the Zoning Administrator or other County employee using equipment normally available to the County or obtainable without extraordinary expense, such determinations shall be so made before notice of violation is issued.
  - (2) Where technical complexity or extraordinary expense makes it unreasonable for the County to maintain the personnel or equipment necessary for making difficult or unusual determinations, procedures shall be available for protecting individuals from arbitrary and capricious administration and enforcement of performance standard regulations and for protecting the general public from unnecessary costs for administration and enforcement.
- (B) **Simple Determinations.** If the Zoning Administrator finds that determinations of the nature indicated in Section 5-1510(A)(1) are adequate to demonstrate violations of performance standards in particular cases and if such violations exist, he shall take, or cause to be taken, such lawful action as is appropriate to cause correction of such violations. Failure to obey lawful orders concerning correction of such violations shall be punishable as provided generally for violations herein and in other laws or regulations affecting the case.
- (C) **Complex Determinations.** If the Zoning Administrator finds that determinations of the nature indicated in Section 5-1510(A)(2) are required to make precise measurements regarding potential violations of performance standards set forth herein and, if in his considered judgment, he believes there is violation of such performance standards, the following procedures shall be followed:
  - (1) **Notice and Answer.** The Zoning Administrator shall give notice by registered mail or other means insuring a signed

receipt for such notice to the person or persons responsible for the alleged violation. The notice shall describe the particulars of the alleged violation and the reasons why the Zoning Administrator believes there is a violation and shall require an answer or correction of the alleged violation to the satisfaction of the Zoning Administrator within a time limit set by him, but not to exceed 60 days. The notice shall state, and it is hereby declared, that failure to reply or to correct the alleged violation to the satisfaction of the Zoning Administrator within the time limit set constitutes cause for the Zoning Administrator to proceed with enforcement, as provided in Section 6-500. The notice shall further state that, upon request of those to whom it is directed, technical determinations, as described in this ordinance, will be made and that if violations, as alleged, are found, costs of such determinations shall be charged against those responsible for the violation, in addition to such other penalties as may be appropriate. However, if it is determined that no violation exists, the cost of the determination will be paid by the County.

- (2) **Correction of Violation.** If there is no reply within the time limit set, but the alleged violation is corrected to the satisfaction of the Zoning Administrator, he shall note "violation corrected" on his copy of the notice, shall retain it among his official records and shall send a copy to the alleged violator, in addition to taking such other action as may be warranted.
- (3) **Action--Continuation of Violation.** If there is no reply within the time set (thus establishing admission of violation, as provided in Section 5-1510(C)(1)) and the alleged violation is not corrected to the satisfaction of the Zoning Administrator within the time limit set, he shall proceed to take, or cause to be taken, such action as is warranted by continuation of a violation after notice to cease.
- (4) **Time Extension.** If a reply is received within the time limit set indicating that the alleged violation will be corrected to the satisfaction of the Zoning Administrator but requesting additional time, the Zoning Administrator may grant an extension if he deems it warranted in the circumstances of the case and if the extension will not, in his opinion, cause imminent peril to life, health, or property. If the extension is not granted, the Zoning Administrator shall proceed to bring legal action, as provided in Section 6-500 of this Ordinance.
- (5) **Costs of Determinations--Responsibility.** If a reply is received within the time limit set requesting technical determination, as provided in this Ordinance, and if the alleged



violations continue, the Zoning Administrator may call in properly qualified experts to make the determinations. If expert findings indicate violation of the performance standards, the costs of the determinations shall be assessed against the properties or persons responsible for the violation, in addition to such other penalties as may be appropriate under the terms of Section 6-500. If no violation is found, the costs of the determinations shall be paid by the County without assessment against the properties or persons involved.