

Falling Waters Erosion Control Violation Reporting Procedure

1. Purpose

The purpose of this Erosion Control Procedure is to enforce Ordinance 2019-01, Article VI, Paragraph C.

2. Reporting and Review of Violations

Any suspected erosion control violation involving a builder, contractor, or homeowner shall be reported to PP NW.

The FWCD shall review the reported violation and determine whether a violation has occurred. Upon confirmation of a violation, PP NW shall issue the appropriate party a completed Violation Notice (copy attached), with blind carbon copies (BCC) sent to the HOA Architectural Control Committee (ACC) and the FWCD.

3. Failure to Correct a Violation

If the violation is not corrected within the timeframe or in the manner specified in Ordinance 2019-01, Article VI, Paragraph C and the Falling Waters Erosion Control Protection Policy, PP NW shall notify the FWCD Board and request that the necessary erosion control measures be installed by a qualified contractor.

4. Costs and Collection

Upon completion of the erosion control installation, the FWCD shall invoice the responsible party for the costs incurred.

If payment is not received within a reasonable period, the District Secretary shall initiate the process of filing a lien to secure payment, subject to applicable legal requirements.

The lien shall include all costs associated with enforcing the Ordinance, including, but not limited to, the installation of erosion control measures, filing fees, and legal fees.

Notification of Erosion Control Violation

Falling Waters Conservancy District
PP NW, Inc. – (219) 923-2812

Date _____

Street Address _____ Lot Number _____

Contractor _____

Owner _____

Falling Waters Conservancy District Ordinance 2019-01 Article VI, Paragraph C,
Violations and Penalties, reads in part:

“Upon observation of failure to comply with these erosion control measures, the District shall notify the homeowner or representative of same. Should no corrective action occur within forty-eight (48) hours, the District may employ a necessary contractor to install proper erosion control measure and apply the cost for same (include all legal and related cost) to the homeowner or contractor, including recordation of a lien for same.”

Nature of violation: _____

Action required: _____

You are hereby notified to take corrective action.

Govern yourself accordingly,

Falling Waters Conservancy District Board