

**MINNEHAHA CREEK WATERSHED DISTRICT
BOARD OF MANAGERS**

**15. ENFORCEMENT RULE
PURSUANT TO MINNESOTA STATUTES §103D.341**

**Adopted XXX
Effective XXX**

- 1. INVESTIGATING NONCOMPLIANCE.** District staff may enter and inspect a property in the watershed to determine whether a violation of a District rule, permit or order exists.
- 2. ADMINISTRATIVE COMPLIANCE ORDER.** On finding a probable violation, the District Administrator may issue a compliance order. A compliance order may require a property owner to apply for an after-the-fact permit and/or effect corrective or restorative actions. A compliance order may require that land-disturbing activities on the property cease.
- 3. BOARD HEARING.** A compliance order issued by the District Administrator is limited in duration to 20 days. After notice and opportunity to be heard, the Board of Managers may determine that the noncompliance or violation has been corrected and rescind the compliance order. If the Board of Managers determines that the noncompliance or violation has not been corrected, it may extend the compliance order or issue a new order finding a party in violation of the compliance order, or of a District rule, permit or other order, and directing the party to take action to correct or mitigate the effects of the violation or restore the site.
- 4. DISTRICT COURT ACTION.** The Board of Managers may seek judicial enforcement of an order or any other remedy available to it under law, including recovery of associated legal costs and fees, through a civil or criminal action pursuant to Minnesota Statutes sections 103D.545 and 103D.551 and any other provisions of law.
- 5. LIABILITY FOR ENFORCEMENT COSTS.** To the extent provided by law, a property owner or other party that is the subject of District enforcement will be liable for enforcement costs incurred by the District, including but not limited to the costs of inspection and monitoring of compliance, engineering and other technical analysis, legal fees and costs, and administrative expenses.