

## NOTICES OF VIOLATION AND CIVIL CITATIONS

# NEXT STEPS

You have been issued a notice of violation for failure to obtain a required sediment control permit for land disturbing activities. This type of permit is required when land disturbing activities exceed 5,000 square feet and/or site excavation or fill exceeds 100 cubic yards. This is a violation of Montgomery County Code Chapter 19, 19-2.

The process of obtaining a sediment control permit can be difficult and confusing for a first-time applicant. This handout provides information that may help you navigate through the system. The sediment control inspector who issued the citation can always be used as a resource or point of contact.



# NOTICE OF VIOLATION

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## 1 Determine the Type of Sediment Control Permit Needed

The type of sediment control permit required will be based on the project's scope of work. The two types of sediment control permits are described below.

### **SMALL LAND DISTURBANCE ACTIVITIES PERMIT**

Small projects with simple areas of miscellaneous excavation or earth movement may be eligible for an SLDA application. This is an administrative permit that does not require a design professional to prepare the plans needed for review.

### **ENGINEERED SEDIMENT CONTROL PERMIT**

If your project is a commercial operation or a residential operation associated with a building permit, or the construction of a miscellaneous impervious surface, i.e., parking spaces or hardscapes, you will most likely need to hire the services of a professional engineer, land surveyor, or landscape architect since this type of plan must be prepared by a design professional.

### **NEED ASSISTANCE?**

If you are still unclear what type of permit is needed, contact:

*Mark Etheridge*

240-777-6338

[mark.etheridge@montgomerycountymd.gov](mailto:mark.etheridge@montgomerycountymd.gov)

## 2 Apply for Permit and Submit Plans

Now that you have determined the type of permit needed, you must submit your application and plans electronically.

### **APPLY ONLINE**

You must submit your application electronically and pay the associated filing fee online. Once successfully submitted, you will receive a confirmation email that references the permit number. You may access our online application system using this link:

[montgomerycountymd.gov/DPS](http://montgomerycountymd.gov/DPS)

### **SUBMIT PLANS VIA EPLANS**

Plans are submitted electronically via our ePlans system which is a separate system from the one used to apply for permits. You may access the ePlans system using this link: [eplans.montgomerycountymd.gov](http://eplans.montgomerycountymd.gov)

### **NEED ASSISTANCE?**

For assistance with the online application or plan submittal, you may contact:

*Crystal Roberts*

240-777-6323

[Crystal.Roberts@montgomerycountymd.gov](mailto:Crystal.Roberts@montgomerycountymd.gov)

Translation services will be provided as needed.

## **Forest Conservation** *(if applicable)*

If your property is 40,000 square feet or larger your application will be subject to forest conservation laws. You need to contact M-NCPPC to address the forest conservation requirement. Your sediment control permit will not be issued until forest conservation is addressed. More information about the forest conservation process can be found here: [montgomeryplanning.org](http://montgomeryplanning.org)

# CIVIL CITATION

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**If a Civil Citation was issued along with your notice of violation, you will need to request a court hearing or pay the civil citation fine.**

## **REQUEST A COURT HEARING**

You must notify the District Court in Rockville in writing and include the citation number(s), your current mailing address and daytime phone number. It should be mailed to the District Court at 191 E. Jefferson Street, Rockville MD 20850.

You must also notify the Office of the County Attorney in writing by either sending an email (preferred) to [tammy.cheraghi@montgomerycountymd.gov](mailto:tammy.cheraghi@montgomerycountymd.gov) or by mail to Office of the County Attorney at 101 Monroe Street, 3rd Floor, Rockville MD 20850. You must include the citation number(s), your current mailing address, daytime phone number and email address.

## **ABATEMENT**

If the Abatement Order box is marked on the citation(s) and voluntary compliance is not obtained, the County will be utilizing the court system to help obtain compliance for the violation(s). Payment should not be made until the violation(s) has been abated. Paying the fine amount(s) Will Not close the case(s).

## **PAY THE FINE**

If the Abatement Order box is not marked on the citation(s) and you want to pay the fine, you may do so by either mailing a check or money order made payable to Montgomery County MD and mail it to the Office of the County Attorney, 101 Monroe Street, 3rd Floor Rockville MD 20850. Be sure to write the citation number(s) on the payment. You may also make the payment online via debit, credit or electronic check using the link below.

[montgomerycountymd.gov/CAT/Services/code\\_payment.html](https://montgomerycountymd.gov/CAT/Services/code_payment.html)

## **NEED ASSISTANCE?**

If you should have any further questions regarding how to request a court date or how to pay the fine, please feel free to contact:

*Tammy Cheraghi*  
240-777-6768

[tammy.cheraghi@montgomerycountymd.gov](mailto:tammy.cheraghi@montgomerycountymd.gov)

Tom Weadon  
DPS Water Resources Inspection Manager  
[Tom.Weadon@montgomerycountymd.gov](mailto:Tom.Weadon@montgomerycountymd.gov)  
240-777-6309

Mark Etheridge  
DPS Water Resources Plans Review Manager  
[Mark.Etheridge@montgomerycountymd.gov](mailto:Mark.Etheridge@montgomerycountymd.gov)  
240-777-6338

Crystal Roberts  
DPS Permit Processing Manager  
[Crystal.Roberts@montgomerycountymd.gov](mailto:Crystal.Roberts@montgomerycountymd.gov)  
240-777-6323

Christina Sorrento  
MNCPPC - Forest Conservation  
[Christina.Sorrento@montgomeryplanning.org](mailto:Christina.Sorrento@montgomeryplanning.org)  
301-495-4649

Tammy Cheraghi  
Office of the County Attorney  
[Tammy.Cheraghi@montgomerycountymd.gov](mailto:Tammy.Cheraghi@montgomerycountymd.gov)  
240-777-6768

DPS Apply Online Program  
[permittingservices.montgomerycountymd.gov/account/Login.aspx](http://permittingservices.montgomerycountymd.gov/account/Login.aspx)

DPS Online Plan Submittal Program  
[eplans.montgomerycountymd.gov/projectdox/](http://eplans.montgomerycountymd.gov/projectdox/)

MNCPPC Forest Conservation Web Site  
[montgomeryplanning.org/planning/environment/forest-conservation-and-trees/](http://montgomeryplanning.org/planning/environment/forest-conservation-and-trees/)

Office of the County Attorney Online Payment Program  
[montgomerycountymd.gov/CAT/Services/code\\_payment.html](http://montgomerycountymd.gov/CAT/Services/code_payment.html)



[montgomerycountymd.gov/dps](http://montgomerycountymd.gov/dps)