

## **PROCEDURES FOR ENFORCEMENT OF UNIFORM STANDARDS DRAINAGE CULVERTS**

The Board of Supervisors of the Loxahatchee Groves Water Control District hereby direct its District Administrator to utilize the following procedures: (i) with respect to any culverts or other drainage systems that have failed, or (ii) upon further direction of the Board, such other culverts or other drainage systems that are continually creating maintenance problems that adversely impact the District's canals or roads and fail to meet the Uniform Standards:

1. The District may, upon giving not less than sixty-days (60-days) written notice (in person or sent by U.S. Mail to the last known address of the affected landowner(s)) require the removal of any drainage culvert or other drainage system that has failed or is continually creating maintenance problems and is otherwise in violation of the Uniform Standards provided, however, that less than sixty-days (60-days) notice in writing or otherwise, may be given in emergency situations. In the event of an emergency, the District Administrator shall give such notice as is reasonably possible. The notice shall include a copy of these procedures for enforcement of the Uniform Standards and shall also inform the affected landowner(s) that prior to commencing any work within District rights-of-way, including, but not limited to, the removal, repair, replacement or modification of any structure not conforming to these uniform standards shall require approval of the District's Engineer.

2. If, after notice pursuant to paragraph 1 hereof, the affected landowner(s) fails to take corrective action or otherwise conform to such Uniform Standards within the time specified in the notice (or in an emergency), the District, through its District Administrator, may enter upon such lands and take such action as necessary to cause such violation to be corrected. The District shall thereupon send an invoice for the District's cost to the affected landowner(s). If the affected landowner(s) has not paid the invoice within thirty (30) days, the District Administrator shall, with the approval of the Board, turn the matter over to the District's Attorney for collection. The Board of Supervisors may assess the owner(s) of such land for all costs in connection therewith;

3. Upon the failure of the affected landowner(s) to pay any assessment levied by the Board of Supervisors pursuant to paragraph 2 hereof within thirty (30) days or receipt by such owner of notice of said assessment, the District shall have a lien on all lands and premises effected thereby. Such lien shall be superior and paramount to the interest in such land and premises of any owner, lessee, tenant, mortgagee, or other person except the lien of state, county, or district taxes and shall be on a parity with the lien of any such state, county, or district taxes. Such lien shall bear interest at an annual rate equal to the interest rate due on judgements, pursuant to Section 55.03, Florida Statutes, per year and shall, until paid, remain in effect in perpetuity;

4. The District Administrator shall report, on a periodic basis, to the Board of Supervisors any action taken hereunder with respect to the enforcement of the Uniform Standards.