

**LAKE WORTH DRAINAGE DISTRICT
OPERATING POLICIES**

Chapter 4: Restrictions & Requirements within Right-of-Way

4.1 Dumping Violations

(Ref. Florida Statutes, Section 403.413)

(Ref. Florida Statutes, Section 298.66)

LWDD does not allow dumping of any type of materials within its canal rights-of-way and on lands owned by LWDD.

LWDD will prosecute any violator to the fullest extent of the law, in accordance with all local, state and federal laws and ordinances.

4.1.2 Procedures for Reporting of Dumping of Building Materials, Grass Clippings, Tree Trimmings, Household Garbage and Debris of Any Type and Materials on LWDD Canal Right-Of-Way:

4.1.2.1

LWDD Employee discovers violation:

- a. Document violation and contact adjacent land owner/agent
- b. Report Notice of Violation directly to Director of Operations

4.1.2.2

Construction Inspector sends written Notice of Violation (N.O.V.) to adjacent property owner by regular mail.

- a. N.O.V. must contain the following information:
 - i. Detailed description of violation
 - ii. Demand for removal of dumped material(s) within ten business (10) days of receipt of N.O.V.

4.1.2.3

LWDD is primarily funded with taxpayer dollars. In order to make efficient use of LWDD resources the N.O.V. will contain the following options:

- a. Upon receipt of the N.O.V., if the violator cannot remove the dumped materials, the violator can contact LWDD to remove the violation as a service to the violator, and LWDD shall assess the violator for the actual cost to LWDD.
- b. If the violator elects not to remove the violations (dumped materials) within the ten (10) days LWDD will proceed to cause compliance. In order to cause compliance and efficient operation and maintenance of the canal rights-of-way, LWDD will assess the violator for the actual cost to LWDD for clean up/removal of the violations. If the violator does not remit the clean up/removal costs for this matter, it will be turned over to the LWDD Legal Department for collection including, but not limited to attorney's fees, possible liens, court costs and administrative fees.

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- c. If the violator removes the violation within the ten (10) days of the N.O.V., and the right-of-way is restored to its original or better condition, LWDD will consider the matter closed.