



Crook County
Community Development Department
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TO: Crook County Planning Commission

FROM: John Eisler, Community Development Director

DATE: October 28, 2025

SUBJECT: Code Updates

During my October 22, 2025 Community Development update, I shared with the Planning Commission that CDD has begun utilizing CCC 18.144.070 as its enforcement mechanism for CUP violations by aggregate operators. The code provision allows for a simple and efficient means to correct and punish violations.

The County recently received its first check from such a violation. The need to deposit said check brought our attention to CCC 1.04.010, which reads:

1.04.010 General penalties.

- (1) Any violation of any county ordinance shall be punishable, upon conviction, by a fine not exceeding \$500.00 for a noncontinuing offense; and
- (2) When a violation is of a continuing nature, a separately punishable violation occurs on each calendar day the violation continues and shall be punishable, upon conviction, by a fine not exceeding \$500.00 per day; and
- (3) Fines recovered upon conviction for violation of any county ordinance shall be paid to the clerk of the court in which recovery is had; after first deducting court costs in the proceedings, the clerk shall pay the remainder to the treasurer of Crook County for the general fund of Crook County; and
- (4) Notwithstanding any of the above, the county may seek any other relief including but not limited to equitable relief as the court in which the action is brought deems justified. (Ord. 248 § 1, 2011; Ord. 27, 1984)

Note the mandate of (3). The circuit court is not used for this process and the fine should not go to the general fund. Thus, I propose the following modest change (approved by Legal) to be included in our broad December code update:

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(2) When a violation is of a continuing nature, a separately punishable violation occurs on each calendar day the violation continues and shall be punishable, upon conviction, by a fine not exceeding \$500.00 per day; and

(3) Fines recovered upon conviction for violation of any county ordinance ~~shall~~ *may* be paid to the clerk of the court in which recovery is had; after first deducting court costs in the proceedings, the clerk shall pay the remainder to the treasurer of Crook County for the general fund of Crook County *or such specific fund as designated for this purpose*; and

(4) Notwithstanding any of the above, the county may seek any other relief including but not limited to equitable relief as the court in which the action is brought deems justified.

Please let me know if you have any questions.