

## *ARTICLE XXIX*

### *ENFORCEMENT, VIOLATION, AND PENALTY*

**SECTION 1. ENFORCEMENT:** The City Zoning Administrator shall administer and enforce this Zoning Ordinance. Appeals from the decision of the City Zoning Administrator may be made to the Board of Zoning Appeals.

The City Zoning Administrator shall have the following duties and responsibilities with regard to enforcement of the Zoning Ordinance.

1. Approve and issue all zoning permits and make and maintain records thereof.
2. To cause any building, structure, place or premises to be inspected and examined as required by these regulations and to order in writing the remedying of any condition found to exist therein or threat in violation of any provisions herein.
3. To institute any appropriate action or proceedings to prevent such unlawful action or use or to restrain, correct or abate such violation on or about the premises of any building or structure which is constructed, built, moved, structurally altered or reconstructed or land is used in violation of any provisions herein.
4. Maintain a set of administrative forms to assist applicants and to process the cases considered by the Planning Commission, Board of Zoning Appeals and Government Body.
5. Receive, file and forward to the Planning Commission the applications and records for all amendments and conditional uses which are filed with the Zoning Administrator.
6. Receive, file and forward to the Board of Zoning Appeals and the Planning Commission the applications and records for all variances and conditional uses which are filed with the Zoning Administrator and forward all records of appeals to the Board upon request of the Secretary.
7. Maintain permanent and current public records of the Zoning Regulations, including but not limited to all official zoning maps, amendments, conditional uses, appeals, variances, and applications thereof and records of hearing thereon.
8. Provide such technical and clerical assistance as may be required by the Planning Commission, the Board of Zoning Appeals, the Governing Body and other agencies and officials in the exercise of their duties relating to these regulations.

**SECTION 2. CERTIFICATE OF ZONING COMPLIANCE:**

1. Subsequent to the effective date of this Zoning Ordinance, no change in the use or occupancy of land nor any change in the use or occupancy of an existing building shall be made, nor shall any new building be occupied, until a certificate of zoning compliance has been issued by the City Zoning Administrator. The certificate of zoning compliance shall state that the land and/or building complies with the provisions of this Zoning Ordinance.
2. No excavation, erection, or alteration of any building shall be permitted before an application has been made and approved for a building permit, and no building or premises shall be occupied until a certificate of zoning compliance is issued.
3. A record of all certificates of zoning compliance shall be kept on file in the office of the City Zoning Administrator and copies shall be furnished for two (2) dollars on request by any person having an interest in the land or building affected.
4. A certificate of zoning compliance shall become null and void 180 days after the date on which it is issued, unless within said period construction, reconstruction, moving or structural alteration of a structure is commenced or a use is commenced. If the construction or work is abandoned or suspended for any 180-day period after such a certificate is used, then application must be made to the Zoning Administrator for an extension of time to continue the project. The Zoning Administrator may grant reasonable extensions of time provided no changes have been made in any applicable regulations. If such changes have occurred, application must be made for anew certificate based on the provisions of the new or amended regulations in order to continue the project.

**SECTION 3. PLANS:** Each application for a certificate of zoning compliance shall be accompanied by a plan in duplicate, drawn to scale, showing the actual dimensions of the lot to be built upon, the size, shape, and location of the building to be erected, and such other information as may be necessary to provide for the enforcement of this Zoning Ordinance. A record of applications and plans shall be kept in the office of the City Zoning Administrator.

**SECTION 4. VIOLATION AND PENALTY:**

1. The owner or agent of a building or premises in or upon which a violation of any provision of this Ordinance has been committed or shall exist; or the lessee or tenant of an entire building or entire premises in or upon which a violation has been committed or shall exist; or the agent, architect, building contractor, or any other person who commits, takes part or assists in any violation, or who maintains any building or premises in or upon which a violation has been committed or shall exist, shall be punished by a fine not to exceed five hundred (500) dollars, or by imprisonment for not more than six (6) months for each offense, or by both such fine and imprisonment. Each and every day that such violation continues shall constitute a separate offense.

2. In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure, or land is used in violation of this Zoning Ordinance, the appropriate authorities of said area, in addition to other remedies, may institute injunction, mandamus, or other appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use, or to correct or abate such violation or to prevent the occupancy of said building, structure or land.