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ARTICLE 15

ENFORCEMENT

1500 GENERAL.

This article stipulates the procedures to be followed in obtaining permits, certifications, and other legal or administrative approvals under this Ordinance.

1501 ZONING PERMITS REQUIRED.

No building or other structure shall not be erected, moved, added to, structurally altered, nor shall any building, structure, or land be established or changed in use without a permit therefore, issued by the Zoning Inspector/Administrator. Zoning permits shall be issued only in conformity with the provisions of this Ordinance unless the Zoning Inspector/Administrator receives a written order from the Board of Zoning Appeals deciding an appeal, conditional use, or variance, or from Village Council approving a Planned Unit Development District, as provided by this Ordinance.

1502 CONTENTS OF APPLICATION FOR ZONING PERMIT.

The application for zoning permit shall be made in writing and be signed by the owner and/or applicant attesting to the truth and exactness of all information supplied on the application. Each application shall clearly state that the permit shall expire and may be revoked if work has not begun within one (1) year and substantially completed within two-and-one-half ($2\frac{1}{2}$) years. At a minimum, the application shall contain the following information and be accompanied by all required fees:

1. Name, address, and telephone number of the applicant and property owner;
2. Legal description of property;
3. Existing use;
4. Proposed use;
5. Zoning district;
6. Plans in triplicate, drawn to scale, showing the actual dimensions and the shape of the lot to be built upon; the exact size and location of existing buildings on the lot, if any; and the location and dimensions of the proposed building(s) or alteration;
7. Building heights;
8. Number of off-street parking spaces or loading berths, and their layout;
9. Location and design of access drives,

10. Number of dwelling units;
11. If applicable, application for a sign permit or a conditional special, or temporary use permit, unless previously submitted;
12. Such other documentation as may be necessary to determine conformance with, and to provide for the enforcement of, this Ordinance.

1503 APPROVAL OF ZONING PERMIT.

Within thirty (30) days after the receipt of an application, the Zoning Inspector/Administrator shall either approve or disapprove the application in conformance with the provisions of this Ordinance. All zoning permits shall be conditional upon the commencement of work within one (1) year.

1. The Zoning Inspector/Administrator shall return One (1) copy of the plans to the applicant; after the Zoning Inspector/Administrator has marked such copy either as approved or disapproved and attested to the same by his signature on the copy.
2. The Zoning Inspector/Administrator shall retain One (1) copy of plans, similarly marked. The Zoning Inspector/Administrator shall issue a placard, to be posted in a conspicuous place on the property in question, attesting to the fact that the activity is in conformance with the provisions of this Ordinance.

1504 SUBMISSION TO DIRECTOR OF TRANSPORTATION.

Before any zoning permit is issued affecting any land within three-hundred (300) feet of the centerline of a proposed new highway, or a highway for which changes are proposed, as described in the certification to local officials by the Director of Transportation or any land within a radius of five-hundred (500) feet from the point of intersection of said centerline with any public road or highway, the Zoning Inspector/Administrator shall give notice, by registered mail, to the Director of Transportation. The date the notice is received by the Director of Transportation shall be marked.

1. If the Director of Transportation notifies the Zoning Inspector/Administrator that he shall proceed to acquire the land needed, then the Zoning Inspector/Administrator shall refuse to issue the zoning permit.
2. If the Director of Transportation notifies the Zoning Inspector/Administrator that acquisition at this time is not in the public interest, or upon the expiration of the one-hundred, twenty (120) day period or of any extension thereof agreed upon the Director of Transportation and the property owner, the Zoning

Inspector/Administrator shall, if the application is in conformance with all provisions of this Ordinance, issue the zoning permit.

1505 EXPIRATION OF ZONING PERMIT.

If the work described in any zoning permit has not begun within one (1) year from the date of issuance thereof, said permit shall expire; it shall be revoked by the Zoning Inspector/Administrator; and written notice thereof shall be give to the persons affected.

1. If the work described in any zoning permit has not be substantially completed within two-and-one-half ($2 \frac{1}{2}$) years of the date of issuance thereof, said permit shall expire and be revoked by the Zoning Inspector/Administrator, and written notice thereof shall be given to the persons affected, together with notice that further work, as described in the cancelled permit, shall not proceed unless, and until, a new zoning permit has been obtained or an extension granted.

1506 CERTIFICATE OF OCCUPANCY.

It shall be unlawful to use, occupy, or permit the use or occupancy of any building or premises, or both, or part thereof hereafter, created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure, until a certificate of occupancy shall have been issued therefore by the Zoning Inspector/Administrator stating that the proposed use of the building or land conforms to the requirements of this Ordinance. The issuance of a use certificate in no way relieves the recipient from compliance with all the requirements of this Ordinance and other regulations.

1507 TEMPORARY CERTIFICATE OF OCCUPANCY.

The Zoning Inspector/Administrator may issue a temporary certificate of occupancy for a period not exceeding six (6) months during alterations or partial occupancy of a building pending its completion.

1508 RECORD OF ZONING PERMITS AND CERTIFICATES OF OCCUPANCY.

The Zoning Inspector/Administrator shall maintain a record of all zoning permits and certificates of occupancy, and copies shall be furnished, upon request and payment of the established fee, to any person.

1509 FAILURE TO OBTAIN A ZONING PERMIT OR CERTIFICATE OF OCCUPANCY.

Failure to obtain a zoning permit or certificate of occupancy shall be a punishable violation of this Ordinance.

- 1510 CONSTRUCTION AND USE TO BE AS PROVIDED IN APPLICATIONS, PLANS, PERMITS, AND CERTIFICATES.**
Zoning permits or certificates of occupancy issued on the basis of plans and applications approved by the Zoning Inspector/Administrator authorize only the use, and arrangement, set forth in such approved plans and applications or amendments thereto, and any other use, arrangement, or construction contrary to that authorize shall be deemed a punishable violation of this Ordinance.
- 1511 COMPLAINTS REGARDING VIOLATION.**
Whenever a violation of this Ordinance occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the cause and basis thereof shall be filed with the Zoning Inspector/Administrator. The Zoning Inspector/Administrator shall record properly such complaint, immediately investigate it, and take action thereon as provided by this Ordinance.
- 1512 ENTRY AND INSPECTION OF PROPERTY.**
The Zoning Inspector/Administrator is authorized to make inspections of properties and structures in order to examine and survey the same, and at any reasonable hour, for the purpose of enforcing the provisions of this Ordinance. Prior to seeking entry to any property or structure for such examination or survey, the Zoning Inspector/Administrator shall attempt to obtain the permission of the owner or occupant to inspect. If such permission is denied or cannot be obtained, the Zoning Inspector/Administrator shall request the assistance of the Village Solicitor in securing a valid search warrant prior to entry.
- 1513 STOP WORK ORDER.**
Subsequent to his determination that work is being done contrary to this Ordinance, the Zoning Inspector/Administrator shall write a stop work order and post it on the premises involved. Removal of a stop work order, except by the order of the Zoning Inspector/Administrator, shall constitute a punishable violation of this Ordinance.
- 1514 ZONING PERMIT REVOCATION.**
The Zoning Inspector/Administrator may issue a revocation notice to revoke a permit or administrative approval which was issued contrary to this Ordinance or based upon false information or misrepresentation in the application.

1515 NOTICE OF VIOLATION.

1. Whenever the Zoning Inspector/Administrator, or his agent, determines that there is a violation of any provision of this Ordinance, a **warning tag** shall be issued and shall serve as a notice of violation. Such order shall:
 - A. Be in writing;
 - B. Identify the violation;
 - C. Include a statement of the reason or reasons why it is being issued and refer to the sections of this Ordinance being violated; and
 - D. State the time by which the violation shall be corrected.
2. Service of notice of violation shall be as follows:
 - A. By personal delivery to the person or persons responsible, or by leaving the notice at the usual place of residence by the owner with a person of suitable age and discretion;
 - B. By certified mail, deposited in the United States Post Office address. If a certified mail envelope is returned with endorsement showing that the envelope is unclaimed, then service shall be sent by ordinary mail, and the mailing shall be evidenced by a certificate of mailing which shall be filed by the Zoning Inspector/Administrator. Service shall be deemed complete when the fact of mailing is entered of record, provided that the ordinary mail envelope is not returned by the postal authorities with an endorsement showing failure of delivery; or
 - C. By posting a copy of the notice form in a conspicuous place on the premises found in violation.

1516 TICKETING PROCEDURE.

If, upon re-inspection following the issuance of a notice of violation, the condition has not been corrected, the person or persons responsible shall be issued a **ticket**. Such ticket shall:

1. Be served personally;
2. Be in writing;
3. Identify the violation;
4. State the time, date, and place for appearance in court;
5. State the amount of the fine, payable in lieu of a court appearance. If the ticket cannot be served personally, the Zoning Inspector/Administrator shall request that the Court shall issue a summons.

1517 PENALTIES AND FINES.

It shall be unlawful to erect, establish, locate, construct, reconstruct, enlarge, change, convert, move, repair, maintain, or structurally alter any building,

structure or land in violation of any provision of this Ordinance or and amendment thereto.

1. Any person, firm, or corporation who violates this Ordinance, or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than one-hundred (\$100) dollars per violation, per day and in addition shall pay all costs and expenses involved in the case.
2. Each day such violation continues after receipt of a violation notice shall be considered a separate offense.
3. The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

1518 ADDITIONAL REMEDIES.

Nothing in this Ordinance shall be deemed to abolish, impair, or prevent other additional remedies as provided by law. In the event of a violation of any provision or requirement of this Ordinance, or in the case of an imminent threat of such a violation, the Zoning Inspector/Administrator, the Village Solicitor, or the owner of any neighboring property who would be especially damaged by such violation, may, in addition to other recourses provided by law, institute mandamus, injunction, abatement, or other appropriate actions to prevent, remove, abate, enjoin, or terminate such violation.