

**ARTICLE VI  
ADMINISTRATION OF THE ORDINANCE**

**SECTION 6.1 -- PURPOSE**

It is the purpose of the Article to provide the procedures for the administration of this Ordinance, issuance of permits, inspection of properties, collection of fees, handling of violators, and enforcement of the provisions of this Ordinance and amendments thereto.

**SECTION 6.2 -- ADMINISTRATION**

Except when herein otherwise stated the provisions of this Ordinance shall be administered by the Zoning Administrator or by such other deputies of his department as the Village Council may designate to enforce the provisions of this Ordinance.

**SECTION 6.3 -- DUTIES OF ZONING ADMINISTRATOR**

The Zoning Administrator shall have the power to grant zoning compliance permits and certificates of occupancy and to make inspections of buildings or premises necessary to carry out his duties in the enforcement of this Ordinance. It shall be unlawful for the Zoning Administrator to approve plans or issue any permits or certificates of occupancy for any excavation or construction until he has inspected such plans in detail and found them to conform with this Ordinance, nor shall the Zoning Administrator vary or change the terms of this Ordinance.

If the Zoning Administrator shall find that any of the provisions of this Ordinance are being violated, he shall notify, in writing, the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of illegal use of any lot or structures; alterations, or structural changes; discontinuance of any illegal work being done; or shall take any other legal action necessary to ensure compliance with this ordinance or to prevent violation of its provisions.

The Zoning Administrator shall submit to the Planning Commission and the Village Council quarterly reports fully explaining the type and nature of uses permitted by right; the nature and extent of violations of this Ordinance; and the type and nature of non-conforming uses, buildings, and structures. The Zoning Administrator shall maintain a record of all zoning compliance permits and certificates of occupancy.

**SECTION 6.4 -- ZONING COMPLIANCE PERMITS**

**SECTION 6.4.1 -- ISSUANCE OF ZONING COMPLIANCE PERMITS**

No building or structure, or part thereof, shall hereafter be located, erected, constructed,

reconstructed, altered, converted, enlarged or moved; nor shall any change be made in the use of any building, structure, or land without a zoning compliance permit having been obtained from the Zoning Administrator for such building, structure, or land. A zoning compliance application shall be filled out and submitted to the Zoning Administrator with copies forwarded to the Secretary of the Planning Commission.

The Zoning Administrator shall require that all applications for zoning compliance permits shall be accompanied by plans and specifications including a plot plan in duplicate, drawn to scale, showing the following information:

- A. The actual dimensions and shape of the lot to be built upon;
- B. The exact size and location of existing structures on the lot, if any; and
- C. The location and dimensions of the proposed structure or alteration.

One (1) copy of the plans shall be returned to the applicant by the Zoning Administrator after such copy has been approved or disapproved and attested to same by the Zoning Administrator's signature on such copy. The Zoning Administrator shall retain the original copy, similarly marked, for his files. Whenever the buildings, structures, and uses as set forth in the application are in conformity with the provisions of this Ordinance, the Zoning Administrator shall issue the applicant a zoning compliance permit within ten (10) days of the filing thereof. Where action of the Board of Appeals or the Planning Commission is required in any case, as set forth in this Ordinance, the Zoning Administrator shall issue such permit promptly following such approvals action.

#### **SECTION 6.4.2 -- VOIDING OF ZONING COMPLIANCE PERMIT**

Any zoning compliance permit granted under this Ordinance shall become null and void and fees forfeited unless construction and/or use completed within five hundred forty-five (545) days of the date of issuance. A zoning compliance permit shall be renewable upon reapplication and upon payment of the fee, subject, however, to the provisions of all ordinances in effect at the time of renewal.

#### **SECTION 6.5 -- CERTIFICATE OF OCCUPANCY, FINAL INSPECTION**

##### **SECTION 6.5.1 -- ISSUANCE OF CERTIFICATE OF OCCUPANCY**

No building or structure, or part thereof, shall be occupied by or for any use for which a zoning compliance permit is required by this Ordinance unless and until a certificate of occupancy shall have been issued for such use. The holder of a zoning compliance permit for the construction, erection, or moving of any building, structure or part thereof, for the establishment of a use, shall make application to the Zoning Administrator immediately upon the completion of the work authorized by the zoning compliance permit for a final inspection.

A certificate of occupancy shall be issued by the Zoning Administrator within five (5) days after receipt of such application if it is found that the building or structure, or part thereof, is in accordance with the provisions of this Ordinance.

#### **SECTION 6.5.2 -- VOIDING OF CERTIFICATE OF OCCUPANCY**

Any certificate of occupancy granted under this Ordinance shall become null and void if such use, buildings, or structures for which said certificate was issued are found by the Zoning Administrator to be in violation of this Ordinance. The Zoning Administrator upon finding such violation shall immediately notify the Village Council of said violation and void the certificate of occupancy.

#### **SECTION 6.6 -- FEES, CHARGES AND EXPENSES**

The Village Council shall establish a schedule of fees, charges, and expenses, and a collection procedure for zoning compliance permits, certificate of occupancy, appeals and other such matters pertaining to the Ordinance. The schedule of fees shall be posted in the office of the Zoning Administrator and the Village Clerk, and may be altered or amended only by the Village Council. No permit, certificate, conditional use on approval, or variance shall be issued unless or until such costs, charges, fees, or expenses listed in this Ordinance have been paid in full, nor shall any action be taken on proceedings before the Board of Appeals, unless or until preliminary charges and fees have been paid in full.

#### **SECTION 6.7 -- VIOLATION AND PENALTIES, NUISANCE PER SE, AND ABATEMENT**

Uses of land and dwellings, buildings, or structures, including tents and mobile homes, used, erected, altered, razed, or converted in violation of any provision of this Ordinance are hereby declared to be a nuisance per se. The court shall order such nuisance abated and the owner and/or agent in charge of such dwelling, building, structure, tent, trailer coach, or land shall be adjudged of maintaining a nuisance per se. Anyone violating the provisions of this Ordinance shall upon conviction thereof be subject to a fine of not more than five hundred (\$500.00) dollars and the costs of prosecuting thereof, by imprisonment in the County Jail for a period not to exceed ninety (90) days, or both. Each day that a violation is permitted to exist shall constitute a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the requirements of this Ordinance.