

Chapter 1 ARTICLE XXI ADMINISTRATION

Sec. 20-2100 Administration and enforcement.

(a) Administrative Official. The Zoning Administrator designated by the Township Board shall administer and enforce this chapter. He may be provided with the assistance of such other persons as the Township Board may direct.

- (1) If the Zoning Administrator shall find that any of the provisions of this chapter are being violated, he shall notify, in writing, the person responsible for such violation, or the owner of record of the lot upon which such violation is taking place, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of the illegal use of any lot or structure; or of illegal additions, alterations, or structural changes; discontinuance of any illegal work being done; or shall take any other action authorized by this ordinance to ensure any other action authorized by this ordinance to ensure compliance with or to prevent violation of its provisions.

(b) Zoning Permits Required. No structure including no accessory structure, shall be erected, moved, added to, or structurally altered without a permit therefore, issued by the Zoning Administrator. Fences shall be permitted by issuance of a fence permit as authorized in Ordinance 31/Code of Ordinances Section 6-2. No zoning permit shall be issued by the Zoning Administrator except in conformity with the provisions of this chapter, unless he received a written approval for a special use permit from the Planning Commission or a reversal on appeal, or variance from the board of zoning appeals, in accordance with provisions of this chapter. (Amended by adoption July 25, 2002)

(c) Zoning Permit Application. All applications for zoning permits shall be accompanied by two (2) sets of plot plans drawn to the scale of one (1) inch to twenty (20) feet, showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations on the lot of structures already existing, if any; and the location and dimensions of the proposed structure or alteration, together with information concerning water runoff from such structure. The application shall include such other information as lawfully may be required by the Zoning Administrator, including data on existing or proposed structures or alteration; existing or proposed uses of the structure and lot; the number of families, housekeeping units, or rental units the structure is designed to accommodate; conditions existing on the lot; and such other information as may be necessary to determine conformance with, and provide for the enforcement of, this chapter.

- (1) One (1) copy of the plans shall be returned to the applicant by the Zoning Administrator after he shall have marked such copy either as approved, or disapproved, and attested to same by his signature on such copy. One (1) copy of the plans, similarly marked, shall be retained by the building inspector.

(d) Certificates of Occupancy and Zoning Compliance for New, Altered, or Non-conforming Uses. It shall be unlawful to use, or occupy, or permit the use, or

occupancy of any structure or premises, or parts thereof, hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure, until a certificate of zoning compliance shall have been issued therefore, by the Zoning Administrator stating that the proposed use of the structure of lot conforms to the requirements of this chapter.

- (1) No non conforming structure or use shall be maintained, renewed, changed, or extended until a certificate of occupancy and zoning compliance shall have been issued by the Zoning Administrator. The certificate shall state specifically wherein the non conforming use differs from the provisions of this chapter, provided that upon enactment or amendment of the chapter, owners or occupants of non conforming uses or structures shall have six (6) months to apply for such certificates. Failure to make such application within such six (6) months shall be presumptive evidence that the property was in conforming use at the time of enactment or amendment of this chapter.
 - (2) No permit for erection, alteration, moving, or repair of any structure shall be issued until an application has been made for a certificate of occupancy and zoning compliance, and the certificate shall be issued in conformity with the provisions of this chapter upon completion of the work.
 - (3) A temporary certificate of occupancy and zoning compliance may be issued by the Zoning Administrator for a period not exceeding six (6) months during alterations for partial occupancy of a structure pending completion of such alterations, provided that such temporary certificate may include such conditions and safeguards as will protect the safety of the occupants and the public.
 - (4) The Zoning Administrator shall maintain a record of all certificates of occupancy and zoning compliance, and a copy shall be furnished upon request to any person.
 - (5) Failure to obtain a certificate of occupancy and zoning compliance shall be a violation of this chapter and punishable under the applicable provisions of this chapter.
- (e) **Expiration of Zoning Permit** If the work described in any zoning permit has not begun within six (6) months from the date of issuance thereof, such permit shall expire, except as otherwise provided herein; it shall be canceled by the Zoning Administrator, and written notice thereof shall be given to the person affected. If the work described in any zoning permit has not been substantially completed within one (1) year of the date of issuance thereof, such permit shall expire. The building inspector may, on application, extend for not to exceed one (1) year from the start of construction, without additional charge, if a satisfactory degree of progress in construction is shown.
- (f) **Construction and Use to be as Provided in Applications, Plans, Permits, and Certificates of Occupancy and Zoning Compliance** Zoning permits or certificates of occupancy and zoning compliance shall be issued by the Zoning

Administrator on the basis of plans and applications approved, where necessary, by the Township Planning Commission or the board of zoning appeals and authorize only the use, conditions, arrangements, and construction set forth in such approved plans or construction. Use, arrangement, or construction at variance with that authorized shall be deemed a violation of this chapter, and punishable as provided under applicable provisions of this chapter.

Sec. 20-2101 Penalties of Violation

Violation of the provisions of this chapter or failure to comply with any of its requirements, including violations of conditions and safeguards required as conditions for the grants of variances, or appeals, or conditional use permits, shall constitute a misdemeanor. Any person who violates this chapter or fails to comply with any of this requirements shall, upon conviction thereof, be fined not more than three hundred dollars (\$300).

- (1) Each day such violations continue shall be considered a separate offense.
- (2) 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.
- (3) Nothing herein contained shall prevent the township from taking such other lawful action as is necessary to prevent or remedy any violation.

Sec. 20-2102 Schedule of Fees, Charges, and Expenses

(a) Fees, charges, and expenses shall be assessed as part of any application required by this chapter to defray expenses incurred in processing such application.

(b) The Township Board shall establish a schedule of fees, charges, and expenses, and establish a procedure for their collection.

- (1) The schedule of fees, charges, and expenses shall be conspicuously posted in the township hall.
- (2) The schedule of fees, charges, and expenses may be altered or amended by resolution duly adopted by the Township Board.

(c) No action shall be taken on any application or appeal until all applicable fees, charges, and expenses have been paid in full