1129.02 VIOLATIONS.

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1129.01 ENFORCEMENT BY THE ZONING INSPECTOR.

(a) The Zoning Inspector is hereby designated as the enforcing officer of this code.

(b) The Zoning Inspector is hereby authorized to enforce as well as issue orders to prevent and stop violations of the provisions of this code.

(Ord. 26-22. Passed 4-26-22.)

1129.02 VIOLATIONS.

(a) It shall be unlawful to:

(1) Use or occupy any land or place; build, erect, alter, remodel, restore, or rebuild thereon any building or structure; permit any building or structure to remain on such land; or use, occupy, or operate such building or structure, in any way or for any use or purpose which is not permitted by the provisions of this code;

(2) Use or occupy any parcel of land; use or occupy a new building; or enlarge, substitute, or otherwise change the use, occupancy, or configuration of any land or building, without having received a zoning permit or other approvals required by this code, indicating compliance with the provisions of this code, unless otherwise state;

(3) Violate or fail to perform any condition, stipulation or safeguard set forth in any certificate issued pursuant to this code, or continue to use or occupy the premises or building as previously authorized by such permit or approval beyond the duration limit therein stated;

(4) Continue construction, renovation, or improvements contrary to a stop work order or notice of violation;

(5) Knowingly make any materially false statement of fact in an application to the Zoning Inspector;

(6) Subdivide land in a manner contrary to the standards and regulations contained in this code; or

(7) Sell land that has not been subdivided in accordance with the regulations in this code.

(b) Each day's continuation of a violation of this section may be deemed a separate offense.

(Ord. 26-22. Passed 4-26-22.)

1129.03 PERMIT REVOCATION.

The Zoning Inspector may issue a revocation notice to revoke a permit, certificate, or administrative approval that was issued contrary to this code or based upon false information or misrepresentation in the application.

(Ord. 26-22. Passed 4-26-22.)

1129.04 COMPLAINTS REGARDING VIOLATIONS.

Whenever a violation of this code occurs, or is alleged to have occurred, any person may file a complaint. Such written complaints shall fully state the causes and basis of the complaint and shall be filed with the Zoning Inspector.

(Ord. 26-22. Passed 4-26-22.)

1129.05 INSPECTION OF PROPERTY.

The Zoning Inspector may inspect any building erected, altered, moved, razed or converted, or any use of land or premises carried on in alleged violation of any of the provisions of this code.

(Ord. 26-22. Passed 4-26-22.)

1129.06 STOP WORK ORDER.

(a) Whenever it comes to the attention of any City official charged with enforcing this code that any work is being done contrary to this code or in an unsafe manner, he or she shall promptly issue a stop work order to the owner of the premises or his or her agent or to the person doing the work. This applies to work being done either within a public right-of-way or on private premises.

(b) The stop work order may be oral or written and shall state the conditions upon which work may be resumed. The order shall direct the order of performance of work necessary to remove any violation of this code or to correct the work or condition the issuer deems to be unsafe.

(c) A written notice informing all persons concerned that the work at the site has been stopped by official order shall be posted at the site.

(d) Upon receiving a stop work order, the recipient of the order or those persons working on the site shall immediately cease work.

(e) If the recipient of such order disagrees with the order, he or she may request confirmation in writing by the City representative who issued the order. He or she may then appeal the order to the Planning Commission. However, no work may be resumed until such appeal has been heard and favorably acted upon by the Planning Commission.

(f) No person shall violate any such stop work order or continue any prohibited work after receipt of such order, either oral or written.

(Ord. 26-22. Passed 4-26-22.)

1129.07 NOTICE OF VIOLATION.

(a) Any person found to be in violation of any provision of this code or any order, requirement, rule or regulation issued under the authority of this code, will be served with a written notice stating the nature of the violation and providing a reasonable time for compliance. If the Zoning Inspector has previously promulgated a schedule of compliance or issued an order addressing the same type of or a similar violation and the time for compliance has passed, the Zoning Inspector may dispense with establishing another time period for compliance.

(b) The notice shall be served in the manner provided by law for the service of civil process. Where the address of the violator is unknown, service may be made upon the owner of the property involved at the tax-mailing address of the owner as shown on the County tax record.

(c) No person shall violate or continue to violate any provision of this section beyond the time limit for compliance set forth by the Zoning Inspector, notice of violation or compliance schedule established by the Zoning Inspector.

(Ord. 26-22. Passed 4-26-22.)

1129.08 PENALTIES.

(a) Whoever violates or fails to comply with, or permits or causes any person in his or her employ to violate or fail to comply with, any of the provisions of this code, shall be guilty of an unclassified misdemeanor and shall be fined up to five hundred dollars ($500.00) per day. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

(b) In addition, or in the alternative, a person who violates or fails to comply with or permits or causes any person in his or her employ to violate or fail to comply with the provisions of this code shall be deemed to be creating a public nuisance, and the creation thereof may be enjoined and maintenance thereof may be abated by action filed by any City official charged with enforcing this code. (Ord. 26-22. Passed 4-26-22.)

1129.09 REMEDIES.

(a) In case any building is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained, or used or any land is or is proposed to be used in violation of this code, or any amendment or supplement thereto, City Council, the Law Director, the Zoning Inspector, Building Inspector, or any adjacent or neighboring property owner who would be especially damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement, or any other appropriate action or proceeding to prevent,

enjoin, abate, or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance, or use.

(b) The remedy provided for herein shall be cumulative and not exclusive and shall be in addition to any other remedies provided by law.

(Ord. 26-22. Passed 4-26-22.)

1129.10 AFFECTED PARTIES.

The owner or tenant of any building, structure, premises, or part thereof, and any architect, engineer, surveyor, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains a violation may be found guilty of a separate offense and suffer the penalties herein provided.

(Ord. 26-22. Passed 4-26-22.)

1129.11 OTHER ACTIONS.

Nothing in this chapter shall be construed as limiting any judicial remedies that the City may have, at law or in equity, for enforcement of this chapter.

(Ord. 26-22. Passed 4-26-22.)

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