ARTICLE 22

ENFORCEMENT

ZONING ADMINISTRATOR:

a. The regulations set forth in this article establish and reg­ulate “Department of Zoning Administration”.

There shall be appointed jointly by the governing bodies a person

qualified through education and/or experience to hold the office and title of “Zoning Administrator”. The Zoning Administrator shall be

procedurally responsible to the Chair­man of the Planning Commission.

The Zoning Administrator shall report his activity to the Chairman of the Planning Commission as necessary to keep the Chairman informed of

Admini­strative activities.

b. In the event of the death, absence, or incapacity of the “Zoning Administrator” the vice-chairman of the Planning Commission shall assume all of the duties and powers of the Zoning Administrator until such time as the Zoning Administrator shall regain his or her capacity to perform said duties or until a successor is appointed.

c. The salary of said Zoning Administrator shall be established by the governing body in the same manner as those establish­ed for other department heads and the annual budget for monies for carrying out the duties and responsibilities of such department shall be set as established for budget pro­cedures by the governing body.

d. The duties and powers of the Zoning Administrator shall be as follows to be totally responsible for the enforcement of these Zoning Regulations. In all cases where said Zoning Admin­istrator is made aware of a possible violation of any portion or section of these Zoning Regulations, he shall cause an investigation to be made. If such investigation establishes that a violation exists, the Zoning Administrator shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of illegal use of land, build­ings, or structures; removal of illegal buildings or structures or of additions, alterations, or structural changes thereto; discontinuance of illegal work being done; or shall take any other action authorized by these Zoning Regulations to insure compliance with or to prevent violation of its provisions. In addition, the Zoning Ad­ministrator shall make the violator aware of all penalties and fines established within these Zoning Regulations for such

violations.

e. Unless so established elsewhere in the Zoning Regulations, any violation of any provision of this ordinance shall be a misdemeanor and shall be pun­ishableby a fine of not to exceed $500.00 or by imprisonment for not more than six months for each offense. Each day that a violation is committed, caused, or continued to exist, shall constitute a separate offense.

INTERPRETATION:

a. In the enforcement of these Zoning Regulations, it shall be an administrative function of the Zoning Administrator to interpret any portion of these regulations which he finds necessary to carry out his official function. However, in the case of an appeal, the interpretation of the Board of Appeals shall become law for the purpose of carrying out said Zoning Administrator’s function as the enforcing officer.

b. In their interpretation and application, the provisions of these regulations shall be held to be minimum requirements, adopted for the promotion of the public health, morals, safety, and general welfare.

 c. Wherever the requirements of these Zoning Regulations appear to conflict with any other lawfully adopted rules, regula­tions, resolutions, or ordinances, the most restrictive or that imposing, the higher standards shall govern.

d. Whenever a proposed use of land or buildings is not clearly indicated in the tabulation of uses, the Zoning Adminis­trator shall submit a formal request to the Planning Commission for determination and inclusion of such use within the tabulations and no zoning permit or building permits of any nature shall be issued until such use shall become a legal part of these Zoning Regulations.

e. Where uncertainty exists with respect to the boundaries of the various zoning districts as shown on the district maps, the following rules apply:

1.The district boundaries are either centerlines of streets or alleys unless otherwise shown, and where the districts designated on the district maps are bounded approximately by centerlines of streets or alleys, such centerline shall be construed to be the boundary of the district.

2.Whenever any plot is divided by two (2) or more zoning districts, the zoning district which encompasses fifty (50) percent or more of the total plot area may be extended to cover the entire plot, subject to Article 14.7.c.

3.Whenever in un-subdivided property, the district boundary lines on the district maps shall be determined by the scale appearing on the maps, subject to Article 14.7.c.

4.There shall be no building or zoning permit of any nature issued on any plot which is not a part of a subdivision plat approved and recorded in the manner prescribed by law, except for buildings and structures accessory to a strictly agricultural use on three (3) or more acres. In addition, there shall be no building or principal use upon a single lot in a subdivision plat. If any part of a principal building is proposed to extend across a lot line into an adjacent lot where another principal building al­ready, exists, or where necessary permits have been issued for a proposed principal building on said adjacent lot, it shall be considered as two (2) principal buildings on the same lot and, therefore, illegal.