

## ARTICLE 11

### ADMINISTRATION AND ENFORCEMENT

#### Section 11.1 Responsibilities

Below is a listing of the responsibilities of various positions and bodies with the Village in administering this Ordinance.

- A. Zoning Administrator: The provisions of this Ordinance shall be administered and enforced by the Zoning Administrator who may delegate his/her responsibilities to other employees, inspectors or officials of the Village. The Zoning Administrator also shall:
  - 1. Issue zoning permits.
  - 2. Make inspections to determine compliance with the permits.
  - 3. Respond to questions from citizens.
  - 4. Receive, investigate and process all complaints and notify affected parties of the results of the investigation.
  
- B. Planning Commission: The Planning Commission responsibilities under the Zoning Ordinance are:
  - 1. Review and approve or deny site plans.
  - 2. Hold public hearings and review and approve or deny special use permits.
  - 3. Hold public hearings and make recommendations on proposed zoning amendments.
  - 4. Initiate amendments to the Zoning Ordinance.
  
- C. Village Council: The Village Council responsibilities under the Zoning Ordinance are:
  - 1. Designate the Zoning Administrator.
  - 2. Approve appointments to the Planning Commission and Zoning Board of Appeals.
  - 3. Establish fee schedules for permits and reviews.
  - 4. Initiate amendments to the Zoning Ordinance.
  - 5. Approves or denies zoning amendments.
  
- D. Zoning Board of Appeals: The Zoning Board of Appeals responsibilities under the Zoning Ordinance are:
  - 1. Issue variances.
  - 2. Consider appeals of decisions.
  - 3. Interpret the ordinance.

- E. Village Staff: The Village staff's responsibilities under the Zoning Ordinance are:
1. Receive applications for zoning permits, variance requests, re-zoning requests, special use permit requests, site plan review applications and other applications and requests.
  2. Provide staff support to the Planning Commission and the Zoning Board of Appeals.

## **Section 11.2 Zoning Permits**

- A. Permits Required: It shall be unlawful for any person, firm or corporation to change the use of a parcel of land or building, commence excavation for, or construction of any building or structure, including fences and accessory structures two (2) hundred square feet or less in area that otherwise does not require a building permit, or additions to any existing building or structure, make structural changes, or make repairs to any existing non-conforming building or structure, or move an existing building, without first obtaining a zoning permit from the Zoning Administrator. No building permit shall be issued until an application has been submitted in accordance with the provisions of this Ordinance showing that the construction and/or use proposed is in compliance with the provisions of this Ordinance and other applicable codes and ordinances of the Village.
- B. Application - Single Family Residential (R-1): An application for a zoning permit shall include a plot plan showing:
1. The actual shape, location and dimensions of the lot.
  2. The shape, size, and location of all buildings or other structures to be erected, altered, or moved, and any buildings or other structures already on the lot.
  3. The signature of the deed holder/owner of the premise concerned.
  4. Such information concerning the lot or adjoining lots as may be essential for determining whether the provisions of this Ordinance are being observed, including, but not limited to, a survey of all or portion of the lot(s).
- C. Application for all Other Zoning Districts: In accordance with Article 9 - Site Plan Review Requirements.
- D. Time Limits
1. Deadline to Commence Construction: A building permit for a project approved by issuance of a zoning permit shall be filed with the Village Building Inspector within one (1) year from the date of issuance of the zoning permit. If a building permit is not filed within one (1) year, the zoning permit shall expire.
  2. Deadline for Completion: A project approved by issuance of a zoning permit shall be completed within one (1) year from the date that the building permit

was filed with the Building Inspector. If an Occupancy Permit is not granted within one (1) year, the zoning permit shall expire.

3. Extensions: The Zoning Administrator may grant one (1) extension for an additional one (1) year if the applicant can demonstrate that suitable, continual progress has been made on the project.

### **Section 11.3 Certifications of Occupancy**

If shall be unlawful to use or permit the use of any land, building, or structure for which a building permit is required, and to use or permit to be used any building or structure hereinafter altered, extended, erected, repaired, or moved, until the Building Inspector shall have issued a certificate of occupancy stating that the provision of this Ordinance have been complied with. The Building Inspector shall not issue a certificate of occupancy on any land, building or structure which also requires a zoning permit or site plan approval until the Zoning Administrator verifies that the terms of the zoning permit or site plan approval have been complied with.

### **Section 11.4 Fees**

The amount of any fees charged for zoning compliance permits or inspections shall be established by motion of the Village Council. The Village shall have the authority to require applicants to reimburse the Village for any cost associated with review of an application, including consultant fees.

### **Section 11.5 Sanctions for Violations**

Any person, firm, or corporation, or anyone acting in behalf of said person, firm or corporation, who shall violate any of the provisions of this Ordinance, or who shall fail to comply with any of the regulatory measures or conditions of the Board of Zoning Appeals, or the Village Council, adopted pursuant hereto, shall upon conviction thereof be subject to a fine of not more than Five Hundred (\$500.00) dollars and court cost, or imprisonment in the County Jail for a period not to exceed ninety (90) days, or by both such fine and imprisonment. Each day such violation continues shall be deemed a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the requirements of the Ordinance.

**End of Article 11**