

176.37 ADMINISTRATION AND ENFORCEMENT.

1. Zoning Official. The Zoning Official, and such deputies or assistants that have been or shall be duly appointed, shall have the responsibility and authority to enforce this chapter.
 - A. The Zoning Official shall issue all building permits and certificates of occupancy and make and maintain records thereof.
 - B. The Zoning Official shall conduct inspections of buildings, structures, and uses of land to determine compliance with the terms of this chapter.
 - C. The Zoning Official shall forward to the Commission copies of all applications for conditional uses that are filed with his/her office.
 - D. The Zoning Official shall forward to the Zoning Board of Adjustment applications for appeals, variances, conditional uses, and other matters on which the Board is required to pass under this chapter.
2. Certificates of Occupancy.
 - A. General:
 - (1) No building or addition thereto constructed, reconstructed, or structurally altered after the effective date of this ordinance shall be occupied or used until a certificate of occupancy has been issued by the Zoning Official stating that the building and use comply with all the provisions of this chapter applicable to the building, premises, or use.
 - (2) No land vacant on the effective date of the Zoning Ordinance shall be occupied or used until a certificate of occupancy has been issued by the Zoning Official stating that the use complies with all the provisions of the Zoning Ordinance applicable to the use or premises.
 - B. Buildings and Additions:
 - (1) Every application for a building permit shall be deemed to be an application for a certificate of occupancy.
 - (2) A certificate of occupancy shall be issued by the Zoning Official within three (3) days after the lawful construction, reconstruction, or structural alteration of a building, addition, or other improvement has been completed and the premises inspected and certified by the Zoning Official to be in conformity with this ordinance and the plans and specifications upon which the building permit was based.
 - (3) If the Zoning Official determines that a certificate of occupancy cannot be issued, the Zoning Official shall give written notice to the applicant stating the reasons why such certificate cannot be issued. Such written notice shall be given to the applicant not later than fourteen (14) days after the Zoning Official is notified, in writing, that the building and premises are ready for occupancy.

C. Vacant Land:

(1) Application for a certificate of occupancy for the use of vacant land or change in the use of land as herein provided shall be made to the Zoning Official before any such land shall be occupied or used.

(2) A certificate of occupancy shall be issued by the Zoning Official within ten (10) days after the application has been made, provided such use is in conformity with the provisions of this chapter.

(3) If the Zoning Official determines that a certificate of occupancy cannot be issued, the Building Official shall give written notice to the applicant stating the reasons why such certificate cannot be issued. Such written notice shall be given to the applicant not later than fourteen (14) days after the applicant has applied for, in writing, such certificate.

D. Temporary Certificates of Occupancy.

(1) Pending the issuance of a regular certificate of occupancy a temporary certificate of occupancy may be issued to be valid for a period not to exceed six (6) months from the date of issuance and to permit partial occupancy of the premises during completion of the construction.

(2) Such temporary certificates of occupancy shall not be construed as in any way altering the respective rights, duties, or obligations of any other matter covered by this chapter.

(3) Such temporary certificate of occupancy shall not be issued except under such restrictions and provisions as will adequately insure the safety of the occupants.

3. Site Plans.

A. General – Except for single-family residential uses, every application for a building permit or a certificate of occupancy shall be accompanied by a site plan.

B. Contents – The site plan shall be drawn to scale and fully dimensioned and contain the following information:

(1) The actual dimensions of the lot or tract to be built upon.

(2) The location, size, and dimensions of existing buildings or structures on the lot or tract to be built upon.

(3) The location, size, and dimensions of the building(s) or structure(s) to be erected.

(4) The location, size, and quantity of off-street parking and loading spaces.

(5) The location of existing and proposed drives, aisles, access points, and sidewalks.

(6) The location and size of screening, landscaping, and open space if required in the zoning district in which the property is located.

(7) The location of any signs.

(8) Such other information as may be required by the Building Official to enforce the provisions of this chapter.

C. Review – The Zoning Official may submit a copy of the site plan to other City departments for their review, evaluation and recommendations prior to issuing a building permit or certificate of occupancy.

4. Inspection and Enforcement.

A. General – In furtherance of the enforcement of this chapter, the Zoning Official shall undertake such regular and continuing programs of inspection of work approved and underway and of existing structures and uses as may be feasible and proper within the limits of staff and funds.

B. Complaints – The Zoning Official shall receive from any person complaints alleging, with particularity, violation of this ordinance and, when appropriate, shall cause such investigations and inspections as may be warranted by such complaints to be made.

C. Violations – The Zoning Official shall, upon determination of any violation of this chapter, notify in writing the person responsible for such violation. Such written notification of violation shall indicate the nature of the violation and order the action necessary to correct it and specifically shall order one or more of the following actions:

(1) The discontinuance of any illegal use of land, buildings, or structures.

(2) Order removal of illegal buildings, structures, additions, or alterations.

(3) Order discontinuance of illegal work being done.

(4) Take any other action authorized by this ordinance to insure compliance with, or to prevent violation of its provisions, and in particular shall, where necessary or appropriate, recommend to the City Attorney the institution of legal or equitable actions that may be required for the enforcement of this chapter.

D. Relief – Nothing in this section shall be interpreted to prevent any person entitled to relief in law or equity by reason of a violation of the provisions of this chapter from bringing an appropriate action to secure such relief.

5. Appeals of Decisions. Any person affected by a decision of the Zoning Official in his/her enforcement of this chapter may appeal said decision to the Zoning Board of Adjustment according to the procedures contained in Section 176.36 herein.