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# **ENFORCEMENT**

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## **5.0 ZONING PERMITS REQUIRED**

No building or other structure shall be erected, moved, added to, structurally altered, nor shall any building, structure, or land be established or changed in use without a permit therefore, issued by the Zoning Inspector. Zoning permits shall be issued only in conformity with the provisions of this resolution unless the Zoning Inspector receives a written order from the Board of Zoning Appeals deciding an appeal, conditional use or variance.

## **5.1 CONTENTS OF APPLICATION FOR ZONING PERMIT**

The application for zoning permit shall be signed by the owner or applicant attesting to the truth and exactness of all information supplied on the application. Each application shall clearly state that the permit shall expire and may be revoked if work has not begun within one (1) year or substantially completed within two and one half (2 ½) years. At a minimum, the application shall contain the following information:

1. Name, address, and phone number of applicant and owner if different
2. Legal description of property;
3. Existing use;
4. Proposed use;
5. Zoning district;
6. Lot plans drawn to scale, showing the actual dimensions and the shape of the lot to be built upon; the exact size and location of existing buildings on the lot, if any; and the location and dimensions of the proposed building(s) or alteration;
7. Building heights;
8. Number of off-street parking spaces or loading berths;
9. Number of dwelling units;
10. Such other matters as may be necessary to determine conformance

- with, which provide for the enforcement of this resolution;
11. Each plan shall bear statements declaring that no part of the land involved in the application has been previously used to provide required yard space or lot area for another structure.
  12. Where complete and accurate information is not readily available from existing records, the Zoning Inspector may require the applicant to furnish a survey of the lot by a registered engineer or surveyor.

## **5.2 APPROVAL OF ZONING PERMIT**

Within thirty (30) days after the receipt of an application, the Zoning Inspector shall either approve or disapprove the application in conformance with the provisions of this resolution. All zoning permits shall, however, be conditional upon the commencement of work within one (1) year. The Zoning Inspector shall issue a placard, to be posted in a conspicuous place on the property in question, attesting to the fact that the use or alteration is in conformance with the provisions of this resolution.

## **5.3 EXPIRATION OF ZONING PERMIT**

If the work described in any zoning permit has not begun within one (1) year from the date of issuance thereof, said permit shall expire; it shall be revoked by the Zoning Inspector; and written notice thereof shall be given to the persons affected. If the work described in any zoning permit has not been substantially completed within two and one half (2 ½) years from the date of issuance thereof, said permit shall expire and be revoked by the Zoning Inspector, and written notice thereof shall be given to the persons affected, together with notice that further work as described in the canceled permit shall not proceed unless and until a new zoning permit has been obtained or extension granted.

## **5.4 CERTIFICATE OF OCCUPANCY**

It shall be unlawful to use or occupy or permit the use or occupancy of any building or premises, or both, or part thereof erected, until a certificate of occupancy shall have been issued thereof by the Zoning Inspector stating that the proposed use of the building or land conforms to the requirements of this resolution.

## **5.5 TEMPORARY CERTIFICATE OF OCCUPANCY**

A temporary certificate of occupancy may be issued by the Zoning Inspector for a period not exceeding eighteen (18) months for partial occupancy of a building pending its completion.

## **5.6 RECORD OF ZONING PERMITS AND CERTIFICATE OF OCCUPANCY**

The Zoning Inspector shall maintain a record of all zoning permits and certificates of occupancy and copies shall be furnished upon request to any person.

## **5.7 FAILURE TO OBTAIN A ZONING PERMIT OR CERTIFICATE OF OCCUPANCY**

Failure to obtain a zoning permit or certificate of occupancy shall be a violation of this resolution and punishable under Section 5.10 of this resolution.

## **5.8 CONSTRUCTION AND USE TO BE AS PROVIDED IN APPLICATIONS, PLANS, PERMITS AND CERTIFICATES**

Zoning permits or certificates of occupancy issued on the basis of plans and applications approved by the Zoning Inspector authorize only the use and arrangement, set forth in such approved plans and applications or amendments thereto and no other use arrangement or construction. Use, arrangement, or construction contrary to that authorized shall be deemed a violation of this resolution and punishable as provided in Section 5.10 of this resolution.

## **5.9 COMPLAINTS REGARDING VIOLATIONS**

Whenever a violation of this resolution occurs, or is alleged to have occurred, any person may file a written complaint. Such Complaint stating fully the causes and basis thereof shall be filed with the Zoning Inspector. The Zoning Inspector shall record properly such complaint, immediately investigate and take action thereon as provided by this resolution.

## **5.10 PENALTIES FOR VIOLATION**

Violation of the provisions of this resolution or failure to comply with any of its requirements, including violation of conditions and safeguards established in various sections of this resolution or failure to comply with any of its requirements shall upon conviction thereof be fined not more than five hundred (500) dollars or imprisoned for not more than thirty (30) days, or both and in addition shall pay all costs and expenses involved in the case. Each day such violation continues after receipt of a violation notice shall be considered a separate offense. 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. Nothing herein contained shall prevent the Township from taking such other lawful action as is necessary to prevent or remedy any violation.

## **5.11 SCHEDULE OF FEES, CHARGES AND EXPENSES**

The Board of Township Trustees shall by resolution establish a schedule of fees, charges and expenses and a collection procedure for zoning permits, amendments, appeals, variances, conditional use permits, plan approvals and other matters pertaining to the administration and enforcement of this resolution requiring investigations, inspections, legal advertising, postage and other expenses. The schedule of fees shall be posted in the office of the Zoning Inspector and may be altered or amended only by the Board of Township Trustees. No action shall be taken on any application or appeal until fees are paid.

## **5.12 NO REFUND OF FEES**

After the Zoning Inspector has issued any required permit in compliance with these regulations and the fee has been collected as provided for such permit or action there shall be no refunds.

Revisions:

Adopted Date 5-22-2018, Effective Date 6-21-2018

Adopted Date: 6/1/98 Effective Date 7/1/98