

CHAPTER 1155 Enforcement and Penalty

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1155.01 ENFORCEMENT BY CITY MANAGER OR HIS OR HER DESIGNEE.

The provisions of this Zoning Code shall be enforced by the City Manager or his or her designee. Appeal from the decisions of the City Manager or his or her designee may be made to the Board of Appeals as provided herein.

(Ord. A-2248. Passed 4-9-01.)

1155.02 BUILDING PERMIT AND CERTIFICATE OF OCCUPANCY OR SITE PLAN APPROVAL PERMIT REQUIRED; FILING OF PLANS.

Within the City, no structure or improvement or use of land may be altered, changed, placed, erected or located on platted or unplatted lands, unless the structure, improvement or use and its location conform to this Zoning Code and a building permit and/or certificate of occupancy or site plan approval permit for such structure, improvement or use has been obtained from the City Manager or his or her designated agent. Every application for a building permit shall be accompanied by building plans and a plot plan drawn to scale in accordance with this Zoning Code, and showing the lot number, the fronting street, the actual shape and dimensions of the lot to be built upon, the exact size and location on the lot of existing buildings and structures, the line within which the proposed building or structure shall be erected or altered, the existing or intended use of each building or part of a building, the number of families or housekeeping units the building is designed to accommodate and such other information in regard to the lot and neighboring lots and their use as may be necessary to determine and provide for the enforcement of the provisions of this Zoning Code.

(Ord. A-2248. Passed 4-9-01.)

1155.03 ISSUANCE OF CERTIFICATE OF OCCUPANCY OR SITE PLAN APPROVAL PERMIT.

- (a) No owner shall use or permit the use of any building or premises or part thereof, hereafter created, erected, changed, converted or enlarged, wholly or partially, in its use or structure until a certificate of occupancy site plan approval permit has been issued by the City Manager or his or her designated agent. Such certificate of occupancy site plan approval permit shall show that such building or premises or a part thereof, and the proposed use thereof, are in conformity with the provisions of this Zoning Code. It shall be the duty of the City Manager or his or her designee to issue a certificate of

occupancy, provided that he or she is satisfied that the building or premises and the proposed use thereof conform to all of the requirements of this Zoning Code and such other codes or ordinances which are in effect in the City.

- (b) Under such rules and regulations as may be established by him, the City Manager or his or her designee may issue a temporary certificate of occupancy for a part of a building.
- (c) Upon written request from the owner or tenant, the City Manager or his or her designee shall issue a certificate of occupancy for any building or premises existing at the time of the enactment of this Zoning Code, certifying after inspection the extent and kind of use made of the building or premises and whether or not such use conforms to the provisions of this Zoning Code.

(Ord. A-2248. Passed 4-9-01.)

1155.04 EQUITABLE REMEDIES.

In case any building or structure is or is intended to be erected, constructed, reconstructed altered or converted, or any building, structure or premises is or is intended to be used in violation of or contrary to the provisions of this Zoning Code, the City Manager or his or her designated agent is hereby authorized, in addition to other remedies set forth in the statutes of the State and in this Zoning Code, to institute an action to enjoin, or any other appropriate action or proceeding to prevent, such erection, construction, reconstruction, alteration, conversion or use.

(Ord. A-2248. Passed 4-9-01.)

1155.99 PENALTY.

Whoever violates any of the provisions of this Zoning Code shall be guilty of a minor misdemeanor and shall be fined one hundred dollars (\$100.00) for each offense. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

(Ord. A-2248. Passed 4-9-01.)