

# CHAPTER 14

## ENFORCEMENT

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10-14-1                      ZONING AND/OR BUILDING PERMITS REQUIRED: No building or other structure shall be erected, moved, added to or structurally altered, nor shall any building, structure or use of land be established or changed without a permit therefore being issued by the Administrator. Zoning and/or Building Permits shall be issued only in conformity with the provisions of this Ordinance.

10-14-2                      CONTENTS OF APPLICATION: The application for a 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. The application should contain the following information:

- (A) Name, address and phone number of applicant;
- (B) Legal description and address of property;
- (C) Existing use;
- (D) Proposed use;
- (E) Zoning district;
- (F) Two (2) copies of the plan(s), drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the exact size and location of the existing buildings on the lot, if any; and the location and dimensions of the proposed building(s) or

alterations;

- (G) Building height(s);
- (H) Number of off-street parking spaces or loading berths;
- (I) Number of dwelling units;
- (J) Proposed sewer and water facilities; and
- (K) Such other matters as may be necessary to determine conformance with, and provide for enforcement of, this Ordinance.

10-14-3:                   **APPROVAL OF PERMITS:** Within thirty (30) days after the receipt of an application, the Administrator shall either approve or disapprove the application in conformance with the provisions of this Ordinance. All permits shall, however, be conditional upon the commencement of work within one (1) year. One (1) copy of the plan(s) shall be returned to the applicant by the Administrator after the Administrator shall have marked such copy either as approved or disapproved and attested to same by his signature on such copy. One (1) copy of the plan(s), similarly marked, shall be retained by the Administrator. The Administrator 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 Ordinance.

10-14-4:                   **EXPIRATION OF PERMIT:** If the work described in any permit has not begun within one (1) year from the date of issuance thereof, the permit shall be revoked by the Administrator and written notice thereof shall be given to the persons affected. All work described in any permit shall be completed within one (1) year from the date of issuance thereof or said permit shall be revoked by the Administrator and written notice thereof shall be given to all persons affected. In either case, a new permit will be needed before work may continue.

10-14-5:                   **RECORD OF BUILDING AND/OR ZONING PERMITS:** The Administrator shall maintain a record of all Building/Zoning Permits. Copies shall be furnished upon request to any person.

10-14-6:                   **FAILURE TO OBTAIN A BUILDING AND/OR ZONING PERMIT:** Failure to obtain a Building/Zoning Permit shall be in violation of this Ordinance.

10-14-7:                   **CONSTRUCTION AND USE TO BE AS PROVIDED:** A permit issued on the basis of an application and plan(s) approved by the Administrator authorize only the use(s) and arrangements set forth in such approved application and plan(s). No other use, arrangement or construction is allowed. Use, arrangement or construction contrary to that authorized shall be deemed a violation of this Ordinance.

10-14-8: COMPLAINTS REGARDING VIOLATIONS: Whenever a violation of this Ordinance occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint, stating fully the cause and basis thereof, shall be filed with the Administrator. The Administrator shall properly record such complaint, immediately investigate and take action thereon as provided by this Ordinance. The Administrator shall report in writing within fourteen (14) days to the person filing the complaint regarding the disposition of the complaint.

10-14-9: PENALTIES: The City Attorney shall, in addition to taking whatever criminal action deemed necessary, take steps to civilly enjoin any violation of this Ordinance. Penalties for failure to comply with, or violations of, the provisions of this Ordinance shall be as follows:

Violation of any of the provisions of this Ordinance or failure to comply with any of its requirements shall constitute a misdemeanor. Each day such violation continues shall be considered a separate offense. The landowner, tenant, subdivider, builder, public official or any other person who commits, participates in, assists in or maintains such violation may be found guilty of a separate offense. Upon conviction of any violation of any of the provisions of this Ordinance, such persons shall be punished by a fine of not more than Three Hundred and No/100 Dollars (\$300.00), or by imprisonment of not more than thirty (30) days, or both such fine and imprisonment. Nothing herein contained shall prevent the Council or any other public official or private citizen from taking such lawful action as is necessary to restrain or prevent any violation of this Ordinance or of the Idaho Code.

10-14-10: SCHEDULE OF FEES, CHARGES AND EXPENSES: The Council shall establish a schedule of fees and collection procedure for permits, appeals, variances, plat approvals and all other matters pertaining to the administration and enforcement of this Ordinance which require investigation, inspection, legal advertising, postage and/or other expense. The schedule of fees shall be posted in the office of the Administrator and may be altered or amended only by the Council. Until all applicable fees, charges and expenses have been paid in full, no action shall be taken on any application or appeal.

10-14-11: RECORD OF ACTIONS: Appropriate permits as defined in this Ordinance shall be forwarded to the County Assessor as required in Section 67-6522, Idaho Code.