

**ARTICLE 26  
VIOLATIONS, PENALTIES AND  
ENFORCEMENT**

**50.2600 Violations, Penalties and Enforcement.**

(1) Buildings erected, altered, razed or converted, or uses carried on in violation of any provision of this Chapter are hereby declared to be a nuisance per se. The Court shall order such nuisance abated, and the owner and/or agent in charge of such building or land shall be adjudged guilty of maintaining a nuisance per se'.

(2) Any building erected, altered, razed or converted, or uses carried on which do not conform with the Site Plan as approved by the Planning Commission are further hereby declared to be a nuisance per se. Further, failure on the part of the owner of said premises or the lessee or tenant thereof, to comply with the conditions for Site Plan approval recited in said Site Plan approval shall constitute said buildings erected, altered, razed or converted, and or the uses carried on to be a nuisance per se, and shall subject the owner, lessee or tenant to the penalties provided in Chapter I of this Code.

(3) Any owner, tenant, lessee, builder or contractor who commences construction of a building without first obtaining a zoning permit from the Zoning Administrator, shall be in violation of this Code and subject to the penalties hereinafter provided.

**(4) [Penalties.]**

(a) For any and every violation of any provisions of this Chapter that is designated as a Municipal civil infraction, the owner, agent, architect, builder, lessee, and/or tenant of the land or building or part thereof where violation has been committed or exists shall, be responsible for a civil infraction, subject to such fines and costs as are expressly provided for violation of such provisions. Each day that a violation is permitted to exist shall constitute a separate offense.

(b) For each and every other violation of any provisions of this Chapter other than those designated as Municipal civil infractions, the owner, agent, architect, builder and/or any person who commits, takes part, or assists in such violation of any of the provisions of this Chapter, and/or any person who maintains any building or land in or on which such violation exists, shall be guilty of a misdemeanor, and upon conviction thereof before any court of competent jurisdiction shall be punished by a fine of not more than five hundred (\$500) dollars for each offense, or shall be punished by imprisonment in jail for a period not to exceed ninety (90) days, or both such fine and imprisonment at the discretion of the court. In case the owner, lessee, or tenant is an unincorporated association or a non profit membership corporation, every member of such association or corporation shall be deemed guilty of a misdemeanor as herein provided and subject to the penalties herein specified. Each day that a violation is permitted to exist shall constitute a separate offense.]<sup>111</sup>

(5) The City or any interested party may apply to any court of competent jurisdiction to restrain any person, firm or corporation from such disobedience or threatened violation, notwithstanding such disobedience or violation may be punishable by a fine or imprisonment as above provided.

**50.2601 Administrative Officer.**

(1) To administer and enforce regulations and restrictions hereafter set forth, there is hereby established the office of Zoning Administrator to be filled by an appointee of the City Manager subject to approval by the City Council.

(2) The Zoning Administrator may delegate clerical, filing, and recording work to the clerical employees of the City. He shall be responsible for the enforcement of all the provisions of the Chapter, and he and his authorized assistants, where properly identified, shall have the authority to enter any premises, at any

reasonable time, for the purpose of investigating or inspecting any building conditions. It shall be the duty of the Zoning Administrator to receive and examine all applications for permits required by this Chapter and to approve or reject such application. He shall collect all special fees established hereby and turn them in daily to the City Treasurer. He shall make such inspections as are necessary and he shall have authority to revoke a permit as hereinafter provided.

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