

## **SECTION 17-34. ENFORCEMENT AND APPLICATION**

### **(a) Administrative Official:**

- (1) The provisions of this Ordinance shall be administered and enforced by the Building Inspector.
- (2) The Building Inspector or any duly authorized person shall have the right to enter upon any premises at any reasonable time for the purpose of making inspections of buildings or premises necessary to carry out his duties in the enforcement of this Ordinance.
- (3) Whenever any construction work is being done contrary to the provisions of this Ordinance, the Building Inspector may order the work stopped by notice in writing served on the owner or contractor doing or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the Building Inspector to proceed with the work.

**(b) Requirements for Building Permit:** All applications for building permits shall be accompanied by accurate plot plans, submitted in duplicate, drawn to scale, showing:

- (1) The actual shape and dimensions of the lot to be built upon.
- (2) The exact sizes and locations on the lot of the buildings and accessory buildings then existing.
- (3) The lines within which the proposed building and structure shall be erected or altered.
- (4) The existing and intended use of each building or part of building.
- (5) The number of families or dwelling units the building is designed to accommodate.
- (6) Such other information with regard to the lot and neighboring lots as may be necessary to determine and provide for the enforcement of this Ordinance.

**(c) Existing Permits and Private Agreements:** This Ordinance is not intended to abrogate or annul:

- (1) Any permits issued before the effective date of this Ordinance.
- (2) Any easement, covenant or any other private agreement.

**(d) Preserving Rights in Pending Litigation and Violations Under Existing Ordinances:** By the passage of this Ordinance no presently illegal use shall be deemed to have been legalized unless specifically such use falls within a use district where the actual use is a conforming use. Otherwise such uses shall remain nonconforming uses where recognized, or an illegal use, as the case may be. It is further intent and declared purpose of this Ordinance that no offense committed, and no liability, penalty or forfeiture, either civil or criminal, shall be discharged or affected by the adoption of this Ordinance; but prosecutions and suits for such offenses, liabilities, penalties or forfeitures may be instituted or causes presently pending be proceeded with in all respects as if such prior Ordinance had not been repealed.

**(e) Completion of Authorized Buildings:** Nothing in these regulations nor in any amendments hereto which change district boundaries shall require any change in the plans, construction or designated use of a building which shall be completed in its entirety within two (2) years from the date of the passage of this Ordinance, provided such building was authorized by building permit before the passage of this Ordinance and further provided construction shall have been started within ninety (90) days from the passage of this Ordinance. Commitments with reference to construction of public utility building necessary for proposed expansion of the City made prior to the passage of this Ordinance shall be observed.

### **(f) Newly Annexed Areas:**

- (1) **Zoning Annexed Areas:** All territory annexed to the City hereafter shall be temporarily classified as District "AO" Agricultural-Open Space, only until permanently zoned by the City Council. The Planning Commission shall, within sixty (60) days after annexation of any territory, recommend to the City Council a plan for permanent zoning in the area. The procedure to be followed for adoption shall be the same as is provided by law for the adoption of original zoning regulations.
  
- (2) **Unplatted Property:** The Planning Commission shall not approve any plat or any subdivision within City limits until the area covered by the proposed plat shall have been permanently zoned by the City Council, except that a plat or subdivision in conformance with the recommended zoning may be approved by the Planning Commission concurrently with the recommendation for zoning and sent together to the City Council.