

ARTICLE 21 ENFORCEMENT AND PENALTIES

21.01 ENFORCING OFFICER

The County Zoning Inspector is hereby designated as the Enforcing officer of this Resolution. The Enforcing Officer is hereby authorized to enforce, issue orders to prevent and stop violations and administer provisions of this Resolution. He may be assisted by such personnel as the County Commission may authorize.

21.02 SITE PLAN AND SUPPORTING INFORMATION REQUIRED

All applications for permits shall be accompanied by a site plan at the time of application which shall contain as a minimum the following information:

- A. The actual shape, size and dimension of the lot, lot number, house address and fronting street (s), the exact size (per outside dimensions) and location on the lot of existing buildings and structures, the existing or intended use of each lot or building or part of a lot or building and the number of units or families the lot or building is designed to accommodate;
- B. The exact location and size of all proposed buildings, structures, signs, or other significant proposed features including distances between front, rear and side property lines as they relate to proposed features;
- C. All front, side and rear yard setbacks shall be shown on the drawing in addition to any utility or stormwater easements, including approximate location of utility lines such as water, sewer, gas, electric, cable or similar underground facilities;
- D. The location of driveways, distances between other drives and adjacent property lines, the location of parking and loading areas with size and number of stalls or loading berths, location of parking blocks, the width of aisles and general traffic movement patterns;
- E. Subsurface and stormwater drainage flow patterns, drainage easements, the approximate location of field tiles, areas subject to high water, flooding conditions, seasonable wet areas. For new construction, first floor or pad elevations shall be required. Spot elevations of the lot, frontage road and within 200' of the lot shall be required when deemed necessary to determine flood plain and drainage conditions. Elevations shall be made in accordance with sound surveying and engineering standards as prepared by a registered surveyor or engineer.
- F. Areas of landscaping and screening as required by this resolution, major open spaces and recreation areas.
- G. All site plans shall be legibly and neatly drawn to an acceptable engineering scale. Drawings which exceed 11" x 17" shall be submitted in triplicate.

H. The Planning Director or authorized representative shall stamp "approved" upon acceptance of the site plan for review, may waive certain requirements where information is deemed unnecessary and may require additional information not made referenced herein which may be necessary for proper review (Amend. #767, effect. date 9/20/89).

21.03
PERMIT

BUILDING

No building or other structure shall be erected, moved, added to, or structurally altered without a Building Permit therefore issued by the Enforcing officer. No building permit shall be issued except in conformity with the provisions of this Resolution.

21.04 CERTIFICATE OF HEALTH OFFICER

Prior to the acceptance of an application for a zoning permit, conditional use permit, zoning certificate or other permit as may be required, a certificate of approval by the County Health Officer or the EPA shall be required for the installation or upgrade of private on-site sanitary sewer facilities and/or for the proposed method of water supply. (Amend. #841, effect. date 8/14/91)

21.05 CERTIFICATE OF ZONING COMPLIANCE

In accordance with Section 303.17 of the Ohio Revised Code, it shall be a violation of this Resolution to locate, erect" construct, reconstruct, enlarge or structurally alter or occupy a building or structure within the territory included in this Zoning Resolution or to change the use of the land even though such use will not require any buildings until a Certificate of Zoning Compliance or zoning permit shall have been issued therefore by the Enforcing officer. This provision shall apply to all buildings, structures and land except those specifically exempted by the revised code. A certificate of Zoning Compliance or zoning permit shall be void if construction is not underway six (6) months after date of issue.

A. The following activities, uses or structures shall be charged a fee to be established by resolution of the Board of County Commissioners for the issuance of zoning permits or certificates of zoning compliance.

zoning compliance permits or zoning permits: 1. Certificate of

(a) Dwelling units: (per structure) including: Duplexes or two family dwelling, multi-family units or three family or greater dwelling units, modular or manufactured housing or mobile homes intended to remain on a temporary or permanent foundation.

(b) Residential room additions (including attached garages, porches, covered walkways, breezeways, sunrooms, decks or similar attached structures)

- (c) Non-residential structures or additions.
 - (d) Accessory buildings or accessory structures.
 - (e) Commercial parking lots.
 - (f) Temporary permits.
 - (g) Change of alteration of uses.
3. Applications to Board of Zoning Appeals.
 4. Application for Zoning Amendments.
 5. Zoning Resolution Book and charges for reproduction of tapes and copies.

B. In every instance where a proposed structure will require direct vehicular access to a dedicated thoroughfare, a drive-way permit shall be obtained from the appropriate designated authority prior to the issuance of a Certificate of Zoning Compliance for construction of said structure.

C. If the use of any land or building is changed or if alteration, construction or enlargement of any building is begun without zoning and/or building permit as required by this Resolution, an administrative penalty fee to be determined by resolution of the Board of County Commissioners shall be collected prior to the issuance of each required permit. No fee collected in accordance with this section shall be refunded, in whole or in part, except as the result of an administrative error.

21.06 REMEDIES

If any building or land is used, altered, constructed or enlarged is in violation of the provisions of this Resolution or any amendment or supplement thereto, the Enforcing Officer or any person or property owner damaged by or subject to damage by such violation, in addition to other remedies provided by law, are hereby empowered or authorized to institute appropriate action or proceedings to prevent such unlawful location, erection, construction, reconstruction, alteration, enlargement, change maintenance or use.

21.07 OTHER ACTION

Nothing herein contained shall prevent the County from taking such other lawful action as is necessary to prevent or remedy any violation.

21.08 PENALTIES

Violation of any provision of the Resolution or any amendment or supplement thereto or failure to comply with any of the requirements of this Resolution shall constitute a minor misdemeanor. Any person, firm or corporation violating any of the provisions of this Resolution, or any amendment thereto or failing to comply with any of the supplements thereto, shall upon conviction be subject to the penalties contained in Ohio Revised Code Section 2929.21. Each day such violation continues shall be considered a separate offense. (Amend. #557, effect. date 8/15/84)

21.09 AFFECTED PARTIES

The owner or tenant of any building, structure, premises, or part thereof and any architect, engineer, surveyor, builder, contractor, agent or other person who commits, participates in, assists in, or maintains a violation may be found guilty of a separate offense and suffer the penalties herein provided.

21.10 VIOLATION, NUISANCE PER SE: ABATEMENT

Buildings erected, altered, razed or converted or uses carried on in violation of any provision of this Resolution is hereby declared to be a nuisance per se. The Court shall order such nuisance abated and the owner or agent in charge of such building or land shall be judged as guilty of maintaining a nuisance per se.

21.11 DISPLAY OF PERMIT CARDS

The Zoning Compliance and Building Permit cards shall be so displayed as to be seen from the road or street. The permit cards shall remain on display until the work for which the permit cards were issued is completed. This shall apply to all permits issued. Failure to display said permit cards shall constitute a violation of this Resolution (Amend. #268, effect. date 12/24/77).