

ARTICLE VIII

ADMINISTRATION AND ENFORCEMENT

Section 8-1 Administration and Enforcement

The Zoning Administrator shall administer and enforce this ordinance. He may be provided with the assistance of such other persons as the Town Commissioners may direct.

If the Zoning Administrator shall find that any of the provisions of this ordinance are being violated, he shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of illegal use of land, buildings or structures or of additions, alterations, or structural changes thereto; discontinuance of any illegal work being done; or shall take any other action authorized by this ordinance to insure compliance with or to prevent violation of its provisions.

Section 8-2 Required Permits

8-2.1 Zoning Permit

No Building or other structure shall be erected, moved, added to, or structurally altered without a permit therefore issued by the Zoning Administrator. No such permit shall be issued except in conformity with the provisions of this ordinance, except after written order from the Board of Adjustment.

8-2.2 Application for Zoning Permit.

- a) All applications for Zoning Permits shall be accompanied by plans in duplicate, drawn to scale, showing actual dimensions and shape of the lot to be built upon; the exact sizes and locations on the lot of buildings already existing, if any; and location and the dimensions of the proposed building or alteration. The application shall include such other information as lawfully may be required by the Zoning Administrator including existing or proposed uses of the building and land; the number of families the building is designed to accommodate, conditions existing on the lot; and such other matters as may be necessary to determine conformance with, and provide for the enforcement of this ordinance.
- b) One copy of the plan shall be returned to the applicant by the Zoning Administrator after he shall have marked such copy either as approved or disapproved and attested to same by his signature on such copy. The second copy of the plans, similarly marked, shall be retained by the Zoning Administrator.

8-2.3 Certificate of Occupancy/Compliance

No land shall hereafter be used, occupied or changed in use except for bona fide farm purposes, and no building hereafter structurally altered, erected or moved shall be changed in use or occupied for other than bona fide farm purposes until a Certificate of Occupancy/Compliance has been issued by the Zoning Administrator stating that the building or proposed use complies with all applicable state and local laws and with the terms of the Zoning Permit. A like certificate shall be issued for the purpose of maintaining, renewing, changing or extending a nonconforming use. All existing nonconformities shall apply for a Certificate of Occupancy/Compliance without charge within ninety (90) days of the effective day of this ordinance. A record of all certificates shall be kept on file in the office of the Zoning Administrator, and copies shall be furnished on request to any person having a proprietary or tenancy interest in the building erected or altered or in the building or land being used. A fee of one dollar shall be charged for the issuance of each such certificate.

8-2.4 Application for Certificate of Occupancy/ Compliance

Application for a Certificate of Occupancy/ Compliance shall be submitted to the Zoning Administrator prior to anticipated completion, movement or use date to allow scheduling of required inspections. A fee of one dollar shall be charged with each permit.

Section 8-3 General Provisions

- 8-3.1 If any permit or certificate is denied, the applicant may appeal the action of the Zoning Administrator to the Board of Adjustment.
- 8-3.2 If the work and/or change of use described in any Zoning Permit has not begun within ninety (90) days from the date of issuance thereof, said permit shall expire; it shall be canceled by the Zoning Administrator; and written notice thereof shall be given to the persons affected.
- 8-3.3 A temporary Zoning Permit may be issued by the Zoning Administrator for a period not exceeding six (6) months during alterations or partial occupancy of a building pending its completion or for bazaars, carnivals, or religious revivals provided that such temporary permit may require such conditions and safeguards as will protect the safety of the occupants and the public.
- 8-3.4 The Zoning Administrator shall maintain a record of all applications for Zoning Permits and of all applications for Certificates of Occupancy/Compliance.
- 8-3.5 Zoning Permits issued on the basis of plans and applications approved by the Zoning Administrator authorize only the use, arrangement, and construction set forth in such approved applications. Use, arrangement, or construction at variance with that authorized shall be deemed violation of this ordinance and punishable by Article XII, Section 12-3 thereof.
- 3.6 Failure to obtain permits and/or certificates set forth under this article shall be a violation of this ordinance and punishable under Article XII, Section 12-3 thereof.

- 8-3.7 The Town of Hertford Utilities Department shall not provide any permanent public service utilities to any structure or use, until a valid Certificate of Occupancy/ Compliance is issued.

Section 8-4 Duties of Zoning Administrator, Board of Adjustment, Courts and Town Commissioners as to Matters of Appeal

- 8-4.1 It is the intention of this ordinance that all questions arising in connection with the enforcement of the ordinance shall be presented first to the Zoning Administrator and that such questions shall be presented to the Zoning Board of Adjustment only on appeal from the Zoning Administrator; and that from the decision of the Board of Adjustment recourse shall be to the courts as provided by law. It is further the intention of this ordinance that the duties of the Town Commissioners in connection with the ordinance shall not include the hearing and passing upon disputed questions that may arise in connection with the enforcement thereof, but that the procedure for determining such questions shall be as herein set out in the ordinance, and that the duties of the Town Commissioners in connection with this ordinance shall be only the duty of considering and passing upon any proposed amendment or repeal of the ordinance as provided by law.