

ORDINANCE NO. 99--2

AN ORDINANCE APPROVING AND ADOPTING THAT CERTAIN ZONING DOCUMENTS AND TECHNICAL CODES KNOWN AS THE CHEROKEE VILLAGE ZONING CODE, ESTABLISHING PERMIT FEES AND PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES.

1. ADOPTION

That certain documents and the technical codes known as the Cherokee Village Zoning Code of which not less than three (3) copies have been and are now filed in the office of the Clerk/Treasurer and the same are hereby adopted as fully as if set out at length herein and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling on all properties within the city limits.

2. ENFORCEMENT

If the building inspector shall find that any of the provisions of this ordinance are being violated, he shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it, and the deadline by which such action must be completed. He shall order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures or of additions, alterations or structural changes thereto; discontinuance of any illegal work being done; or he shall take any other action authorized by this ordinance and documents and technical codes adopted herewith to insure compliance with or to prevent violation of its provisions.

3. COMPLAINT

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 causes and basis thereof, shall be filed with the building inspector, who shall properly forward such complaint, promptly investigate and take action thereon. The building inspector shall respond in writing to any written complaint when requested in writing by the complainant. Said complaint shall contain the name, address and telephone number of the complainant.

4. PENALTIES FOR VIOLATION

(a) Violation of the provisions of the Cherokee Village Zoning Code or failure to comply with any of its requirements shall constitute a misdemeanor. After the expiration date indicated by the notice of violation, any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof, be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than thirty (30) days, or both and, in addition, shall pay all costs and expenses involved in this case. After the expiration date indicated by the notice of violation, each day such violation continues shall be considered a separate offense.

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

(c) Nothing contained in this ordinance shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violation.

5. SCHEDULE OF FEES

(a) The schedule of fees, charges and expenses shall be posted in the office of the Clerk/Treasurer and may be altered or amended only by the City Council.

(b) No permit shall be issued unless or until such costs, charges, fees or expenses have been paid in full, nor shall any action be taken on proceedings before the Board of Adjustment and/or Planning Commission unless or until such charges and fees have been paid in full.

Rezoning	\$ 250.00
Special Use Permit	25.00

6. SEVERABILITY

It is the intention of the City Council that this ordinance, and every provision thereof, shall be considered separable, and the validity of any section, clause provision, or part or portion.

7. EMERGENCY

IT IS, THEREFORE, declared that an emergency exists and this ordinance being necessary for the preservation of the public peace, health and safety shall take effect and be in force immediately from and after its passage.

PASSED AND APPROVED BY THE CHEROKEE VILLAGE CITY COUNCIL.

DATED: February 15, 1999

APPROVED: Marjorie A. Rogers
Marjorie A. Rogers, Mayor

ATTEST: Susan E. Maynard
Susan E. Maynard, Clerk/Treasurer