

## ARTICLE 3

### ENFORCEMENT: PENALTIES AND FEES

#### SECTION 301

There is hereby established the office of Township Zoning Inspector. The Board of Township Trustees, after reviewing recommendations from the Township Zoning Commission shall appoint a Township Zoning Inspector together with such assistants as the Board deems necessary, fix the compensation for said position and make disbursements thereof. It shall be the duty of the Zoning Inspector, as provided under Section 519.02 et seq. of the Revised Code of the State of Ohio, to enforce this Resolution in accordance with the administrative provisions of this Resolution. All departments, officials and public employees of Montgomery County which are vested with the duty of authority to issue certificate or license shall conform to the provisions of this Resolution and shall issue no certificate or license for any use, building, or purpose, if the same is in conflict with the provision of this Resolution. Any certificate or license, issued in conflict with the provisions of this Resolution shall be null and void.

#### SECTION 302

#### ZONING CERTIFICATES

Until a zoning certificate has been obtained from the Zoning Inspector;

- A. The construction, building, moving, remodeling or reconstruction of any building or structure shall not be commenced.
- B. The improvement of land preliminary to any such land shall not be commenced.
- C. The use of land, building or structures for temporary and accessory use and home occupations shall not be commenced.
- D. A certificate pertaining to the temporary or permanent use of land, buildings or structures shall not be issued by any official, officer, employee, department, board or bureau of Butler Township or Montgomery County.

Each application for a zoning certificate shall be accompanied by a plan in duplicate drawn to scale, one

copy of which shall be returned to the owner upon approval. The plan shall show the following:

- A. The actual dimensions of the lot including easements.
- B. The exact size and location of all buildings existing on the lot.
- C. The proposed new construction.
- D. The existing and intended use of all parts of the land or buildings.
- E. Such other information with regard to the lot and neighboring lots as may be necessary to determine and provide for the enforcement of this Zoning Resolution.

**302.02 ISSUANCE OF ZONING CERTIFICATES**

Zoning certificates shall be issued or refusal thereof given within ten (10) working days after the date of application. Written notice of such refusal and reason thereof shall be given to the applicant.

**302.03 PERIOD OF VALIDITY**

A zoning certificate shall become null and void six (6) months after the date on which it is issued unless within such six (6) month period construction, building, moving, remodeling or reconstruction of a building or structure is commenced or a use is commenced.

**SECTION 303 VIOLATIONS – REMEDIES**

In case any building is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained or used, or any land is or is proposed to be used in violation of this Resolution or any amendments or supplements thereto; the Board of Township Trustees, adjacent or neighboring property owner who would be specially damaged by such violation, in addition to other remedies provided by law; may institute injunction, mandamus, abatement, or any other appropriate action, actions, proceedings to prevent, enjoin, abate or remove such unlawful location, erection, construction, enlargement, change maintenance or use.

## **SECTION 304**

### **VIOLATIONS AND PENALTIES**

It shall be unlawful to locate, erect, construct, reconstruct, enlarge, change, maintain or use, any building or land in violation of any regulation in or any provisions of this Resolution or any amendment or supplement thereto adopted by the Board of Township Trustees under Section 519.02 et. Seq. Of the Revised Code of the State Ohio. Any person, firm or corporation, violating any regulation in, or any provision or this Resolution, or any amendment or supplement thereto, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than one hundred (\$100.00) dollars. Each and every day during which such illegal location, erection, construction, reconstruction, enlargement, change, maintenance of use continues, may be deemed a separate offense.

## **SECTION 305**

### **FEES**

Any application under this Resolution for a zoning certificate, variance, conditional use permit, sign permit, planned development, amendment, or filing of a notice of appeal shall be accompanied by such fee as shall be specified from time to time by resolution of the Board of Township Trustees. There shall be no fee, however, in the case of application filed by the Board of Township Trustees or the Zoning Commission.

The fees shall be in addition to the regular building permit fees and any other fees which may be imposed under applicable Resolution of Butler Township. The fees imposed by this Resolution are only intended to defer in part, the costs involved in such applications such as publishing, and/or posting, and mailing the notices of the hearing or hearings. Such fees are not refundable regardless of the outcome of the application.