

ARTICLE XXII ADMINISTRATION, FEES AND VIOLATIONS

Section 22.01 - Zoning Administrator. The provisions of this Ordinance shall be administered by the Zoning Administrator appointed by the Village Council. Said Zoning Administrator's duties shall be the administration of this Ordinance as prescribed by this Ordinance, including issuance of all zoning permits, zoning compliance statements whether an individual statement or as part of the issuance of a building permit pursuant to the Village Building Code, acceptance of any and all applications required in the administration of the Ordinance and any other duties assigned or delegated to the Zoning Administrator by the Village Council or any other law regulation or Ordinance of the State of Michigan or the Village of Constantine.

Section 22.02 - Zoning Permit (individually or in Combination with Building Permit)

A. **Zoning Permit Requirements:** A Zoning Permit is required for and shall be obtained after the effective date of this Ordinance from the office of the Zoning Administrator or his agent by the owner or his agent for the following conditions:

1. The administrative coordination of Zoning Permits issued by the Village and Building Permits by the Zoning Administrator shall be in accordance with subsection B of this Ordinance.
2. The staking out, grading or any other construction relating to all land developments intended or capable of meeting the requirements of this Ordinance for possible land, building or structural use.
3. The construction, enlargement, alteration, demolition or moving of any dwelling, building or structure or any part thereof, being used or to be used for agricultural, residential, commercial, industrial, public or semi-public purposes.
4. Repairs of a minor nature or minor alterations which do not change the use occupancy, area, structural strength, fire hazard, fire protection, exits, light, and ventilation of a building shall not require a Zoning Permit.

B. **Application for a Zoning Permit:** Application for a Zoning Permit shall be made by a fee owner and other owners or an owner(s) designated representative in writing upon a form furnished by the Zoning Administrator, including the following information either on the application form, supporting documentation or on a site plan:

1. The location, shape, area and dimensions for the parcel(s), lot(s) or acreage, and all existing improvements on the lot or parcel delineated on a plot of survey prepared by a licensed Land Surveyor, including rights-of-ways easements sewer and water, drainage, large trees six (6) inches or more in diameter, important natural features, including shorelines, surface water features, wetlands and topography at two (2) foot contour intervals.
2. The location of the proposed construction, upon the parcel(s), lot(s) or acreage affected, including all buildings and structures, e.g. walls, fences, berms, walks, drives, roads, parking areas, landscaping, buffers and utilities.
3. The dimensions, height and floor area of structures, including the perimeter pattern of foundation ("footprint") for each building and structure.
4. The type of the proposed construction, alteration, or repair and the intended use, including buildings and structures, water supply and wastewater disposal systems, surface and underground drainage and impoundment system, public utilities, offices, working areas and recreation rooms.
5. The proposed number of dwelling units, sleeping rooms in each dwelling unit, occupants per dwelling unit and employees, customers, other uses (commercial, industrial, public and semi-public) and the floor area dimensions of each.

6. The present use of any structure affected by the construction or alteration.
7. All yard, open land area and parking space dimensions, if applicable.
8. The proposed plan and specifications of curb cuts, walks, drives, pullout entrance lanes, and off street parking spaces, if applicable.
9. The proposed plan and specifications of off-street loading and unloading spaces provided, if applicable.
10. Present zoning, proposed and required minimum setbacks, proposed and permitted maximum lot coverage and zoning of adjacent properties.
11. Location, height, size and location of all signs, freestanding and on structures.
12. Any other information deemed necessary by the Zoning Administrator to determine and provide for conformance to and the enforcement of this Ordinance and to assure compliance of approved site plans for special uses and planned unit developments.
13. A statement on the potential impact of the proposed development on the present natural conditions of the lot or parcel and the impact on adjacent properties and their present and future uses.

C. **Project Compliance Requires Issuance of Permit:** If the information included in and with the application is in compliance with these requirements and all other provisions of this Ordinance, the Zoning Administrator shall issue a Zoning Permit upon payment of the required Zoning Permit fee.

D. **Voiding of Permit:** Any Zoning Permit granted under this Article shall be null and void unless the development proposed shall have its first inspection within six (6) months from the date of granting the permit. The Zoning Administrator may suspend or revoke a Permit issued 1) in error prior to the starting of any building construction, but excluding site preparation, or 2) on a basis of incorrect information supplied by the applicant or his agent or 3) when construction is in violation of any of the ordinances or regulations of the Village.

Section 22.03 - Enforcement Officer. The enforcement of this Ordinance shall be administered and enforced by the Enforcement Officer designated by and responsible to the Village Council.

Section 22.04 - Duties and Powers - Zoning Administrator and Enforcement Officer. The Zoning Administrator and Enforcement Officer shall have the following powers in addition to those set forth in Section 22.03 above:

1. **Form of Application, Permits and Certificates.** The Zoning Administrator may prescribe the form of all applications, permits (including a Zoning compliance permit when required by the terms of this Ordinance), and certificates required under the terms of the ordinance. If no form is prescribed, a written document in the form of a letter requesting permission, in the case of an application stating precisely what permission is requested, or granting permission, in the case of a permit, stating precisely what permission is granted will suffice.
2. **Receive Applications.** The Zoning Administrator will receive and examine and certify completeness of all applications for permits, certificates, variances, and all other applications required under the terms of this ordinance.
3. **Refer Applications to the Planning Commission or Board of Appeals.** The Zoning Administrator shall upon a finding that an application is complete must refer all applications for permits, certificates, variances, special use permits and any other applications to the appropriate body within twenty (20) days upon making determination that the submission is complete.

4. **Issue or Refuse Permits.** The Zoning Administrator must issue permits for constructions, alternation, and occupancy of those uses which comply with the requirements of this Ordinance, within thirty (30) days after the receipt of the application. The refusal of permit must be in writing and shall state the reasons for the denial.
5. **Issue Notice of Violation.** The Zoning Administrator or Enforcement Officer must issue a written notice of violation to each violator of this Ordinance, stating the nature of the violations. Duplicate copies of the notice must be sent to the Planning Commission.
6. **Make Recommendations.** The Zoning Administrator or Enforcement Officer may make recommendations to the Planning Commission, Board of Appeals for any action deemed necessary.
7. **Records.** The Zoning Administrator must keep records of applications, permits, or certificated issued, of variances and special use permits granted, inspections made, any report issued and notices or orders issued.
8. **Additional Duties and Powers.** The Zoning Administrator or Enforcement Officer must preform all other duties, and may exercise all other powers and privileges, as may be provided or made necessary by the terms of this Ordinance.
9. **Wave Application Documentation.** The Zoning Administrator may wave certain application requirements or other documentation required for issuance of Zoning Permit, when in the judgement of the Zoning Administrator the submission of such information is not needed to determine compliance with the terms of this Ordinance.

Section 22.05 - Fees. A schedule of fees necessary for the administration of the Ordinance shall, from time-to-time, be established by resolution of the Village Council.

Section 22.06 - Violations and Penalties. Any person who shall violate any of the provisions of this Ordinance is responsible for a municipal civil infraction, subject to payment of a civil fine of not less than Fifty (\$50.00) Dollars or more than Five Hundred (\$500.00) Dollars, plus costs and other sanctions, for each infraction. Repeat offenses shall be subject to an increased civil fine as follows:

1. The fine for any offense which is a first repeat offense shall be not less than Two Hundred Fifty (\$250.00) Dollars, plus costs and other sanctions.
2. The fine for any offense which is a second repeat offense or any subsequent repeat offense shall be not less than Five Hundred (\$500.00) Dollars, plus costs and other sanctions. A repeat offense means a second (or any subsequent) violation of this Ordinance (i) committed by a person within any six (6) month period and (ii) for which the person admits responsibility or is determined to be responsible.

Each day on which any violation of this Ordinance continues constitutes a separate offense and shall be subject to penalties or sanctions as a separate offense.

The imposition of any penalties or sanctions hereunder shall not exempt the offender from compliance with the requirements of this Ordinance.

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