

## **SECTION 19: ENFORCEMENT**

### **Section 19.01 Zoning Enforcement**

The Director of Planning, or his designee shall administer the provisions of this ordinance and shall have the right to enter upon the premises at any reasonable time for the purpose of making inspection of buildings or premises necessary to carry out the duties in the enforcement of this ordinance.

If the Director of Planning or the authorized representative shall find, or if any person advises the planning department of a complaint alleging that any of the provisions of this ordinance are being violated, he shall investigate such claims and when necessary give written notice to the person responsible to cease such violations. If such reasonable efforts are made to discontinue the actions violating a portion of the zoning ordinance and the property owner does not comply the Director of Planning or authorized representative shall have the authority to cite the property owner to municipal court.

### **Section 19.02 Penalty for Violations**

Any person violating any of the provisions of this ordinance shall, upon a conviction be fined a sum not exceeding Two Thousand Dollars (\$2,000.00); and each and every day that the provisions of this ordinance are violated shall constitute a separate and distinct offense. In addition to the said penalty provided for, the right is hereby conferred and extended upon any property owner owning property in any district, where such property owner may be affected or invaded, by violation of the terms of the ordinance, to bring suit in such court or courts having jurisdiction hereof and obtain such remedies as may be available at law and in equity in the protection of the rights of such property owners.

### **Section 19.03 Preserving Rights in Pending Litigation/Violations Under Existing Ordinances**

By passage of this ordinance, no presently illegal use shall be deemed to have been legalized unless specifically such use falls within a use district where the actual use is a conforming use. Otherwise, such uses shall remain non-conforming uses where recognized, or an illegal use, as the case may be. It is further the intent and declared purpose of this ordinance that no offense committed, and no liability penalty or forfeitures, either civil or criminal incurred prior to the time the existing zoning ordinance was repealed and this zoning ordinance adopted shall be discharged or affected by such repeal; but prosecutions and suits for such offenses, liabilities, penalties or forfeitures may be instituted for cause presently pending proceeded with in all respects as if such prior ordinance had not been repealed.

### **Section 19.04 Severability**

If any provision hereof is found to be unconstitutional or void, the remainder of this ordinance shall remain in full force and effect as though this portion were not included in the ordinance.