

SECTION 2

GENERAL PROVISIONS

2-010 DUTIES OF THE ZONING ADMINISTRATOR

- A. A Zoning Administrator shall be appointed by the Governing Body to implement the zoning process.
- B. Said Administrator shall be expected to attend all Planning Commission and Board of Zoning Appeals meetings as an advisor concerning the zoning and subdivision regulations for the City. Such Administrator shall also attend such other meetings as necessary to represent the City concerning the application of the zoning and subdivision regulations.
- C. The Zoning Administrator shall
 - 1. Respond to all questions of interpretation and enforcement of the zoning ordinance either in person or when an application for an action is submitted. He/she shall review all applications for such actions for compliance with the adopted regulations.
 - 2. Shall be responsible for official public notification when required on applications and proposals.
 - 3. Shall collect all fees due to the City for such applications.
 - 4. Shall issue building permits for new buildings or renovations
- D. If an application does not meet the zoning and subdivision regulations for the City, the Zoning Administrator shall deny the request and issue a written response stating the reasons for such denial.
- E. The Zoning Administrator shall also be responsible for enforcement of the Zoning and Subdivision Regulations. They shall investigate complaints, issue notices of violations and take action to correct said violations.

2-011 BUILDING PERMITS

- A. It shall be unlawful to commence the construction or the excavation for the construction of any building or structure or to commence the moving or alteration of a structure as defined in the City Building Code of any building within the City of Tonganoxie until the Building Inspector or Zoning Administrator has issued a building permit for such work. This shall also apply to accessory structures or buildings. Except upon written authorization of the Board of Zoning Appeals, no such building permit shall be issued for any building where said construction, moving, alteration, or use thereof would be in violation of any provisions of this Ordinance.
- B. Any building permit issued by the Building Inspector or Zoning Administrator prior to the effective date of this Ordinance, or any amendment thereto, and which permit,

by its own terms and provision, is in full force and effect at said date, shall not be invalidated by the passage of this Ordinance, or any amendment thereto, but shall remain a valid permit subject only to its own terms and provisions and any other ordinances or regulations pertaining thereto in effect at the time of the issuance of said permit.

- C. The application for a building permit in the City of Tonganoxie shall be as prescribed in the Building Code for the City of Tonganoxie.
- D. The application fee for a building permit shall be as prescribed by the Governing Body for the City of Tonganoxie.
- E. Certificate of Occupancy
 1. No land shall be occupied or used, nor buildings structurally altered until a Certificate of Occupancy has been issued by the Building Inspector or Zoning Administrator which certifies that the use complies with the regulations of the zoning district in which the property is located.
 2. No new or altered building shall be occupied until application is made for an Occupancy Permit. No such permit shall be issued until the structure is approved by the Building Inspector or City Administrator as complying with the appropriate zoning district regulations, the building codes, and any other applicable codes or ordinances.
 3. A temporary Occupancy Permit may be issued for a use in lieu of completion of landscaping or other requirements that cannot be completed through no fault of the owner, such as inclement weather conditions. Such Temporary Occupancy Permit shall contain an expiration date. If all conditions of the Temporary Occupancy Permit have not been met by the expiration date, occupancy of said premises shall be revoked and all utilities disconnected.

2-012 EXEMPTIONS

- A. Poles, wires, cables, conduits vaults, laterals, pipes, mains, valves or other similar equipment for distribution to consumers of telephone or other communications, electricity, gas or water, or the collection of sewage or surface water operated or maintained by the City or a public utility but not including substations located on or above the surface of the ground.
- B. Railroad tracks, signals, bridges and similar facilities and equipment located on a railroad right-of-way, and maintenance and repair work on such facilities and equipment. This exemption shall not include any facilities and equipment listed as a permitted use in the I-H Heavy Industrial District.
- C. Agriculture structures or land used for agriculture. In the event that any structure or land ceases to be used only for agriculture, then such structure or land shall be subjected to the applicable regulations of this ordinance.
- D. Other structures as noted elsewhere in these regulations. See Section 25, Signs.