

ARTICLE 7 ENFORCEMENT

SEC. 7.1 ENFORCEMENT OFFICER

The provisions of this Zoning Ordinance shall be administered and enforced by the Building Inspector or Codes Enforcement Officer of any Legislative Body or the Planning Commission, or any other person authorized by a legislative Body or the Planning Commission. Such enforcement personnel shall have the power to:

- A. Make inspections of any premises necessary to carry out the enforcement of this Zoning Ordinance;
- B. Issue citations for violations of this Zoning Ordinance in accordance with the provisions of KRS 100.99;
- C. Issue citations for violations of this Zoning Ordinance in accordance with the provisions of any Legislative Body's Code Enforcement Board Ordinance and KRS 65.8801 through 65.8840 (Local Government Code Enforcement Board Act) for areas within the jurisdiction of any Governing Body's Code Enforcement Board.

SEC. 7.1.2 CONFORMITY WITH THE CERTIFICATE OF APPROPRIATENESS

- A. All work performed pursuant to a certificate of appropriateness shall conform to the provisions of such certificate. It shall be the responsibility of the planning director and the DAHB to inspect from time to time any work being performed to assure such compliance. In the event work is being performed which is not in accordance with such certificate, the planning director shall issue a stop work order. All work shall cease on the designated property.
- B. No additional work shall be undertaken as long as such stop work order shall continue in effect. The planning director shall meet with the owner or tenant to resolve the problem. The planning commission may seek in circuit court an injunction and any other appropriate relief in order that the intent of this ordinance shall be carried out.

SEC. 7.2 PENALTIES FOR VIOLATIONS

7.2.1 Violations Pursuant to KRS 100.991

Violations of this Zoning Ordinance pursuant to KRS 100.991 shall be subject to the following:

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- A. Any person or entity who violates any of the provisions of KRS 100.201 to 100.347 or any of the regulations adopted pursuant thereto for which no other penalty is provided, shall upon conviction, be fined not less than ten dollars (\$10) but not more than five hundred dollars (\$500) for each conviction. Each day of violation shall constitute a separate offense.
- B. Any person, owner or agent who violates this chapter shall, upon conviction, be fined not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) for each lot or parcel which was subject of sale or transfer, or a contract for sale or transfer.
- C. Any person who intentionally violates any provision of KRS 100.3681 to 100.3684 shall be guilty of a misdemeanor punishable by a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500).

7.2.2 Violations Pursuant to KRS 65.8801 through 65.8840

Violations of this Zoning Ordinance pursuant to KRS 65.8801 through 65.8840 (Local Government Code Enforcement Board Act) shall be subject to the areas and civil fines established within the jurisdiction of any Governing Body's Code Enforcement Board.

SEC. 7.3 OTHER REMEDIES

In such case any building is erected, constructed, reconstructed, repaired, converted, or maintained, or any building, structure or land is used in violation of this Zoning Ordinance, the Building Inspector, any appropriate Codes Enforcement Officer of any Legislative Body, or the Planning Commission, or any adjacent or neighboring property owner who would be damaged by such violation, in addition to other remedies, may institute an injunction, mandamus or other appropriate action or proceeding to prevent the occupancy of such building, structure or land.

SEC. 7.4 ENFORCEMENT ACTIONS INVOLVING AGRICULTURAL OPERATORS

Before taking enforcement action to correct a violation of this Zoning Ordinance by any agricultural operator, the Planning Commission shall investigate the alleged violation to determine whether a violation of this Zoning Ordinance exists, and whether the activity is protected under Section 4.3, Right to Farm policy as "historical, traditional, reasonable and legitimate".