

CHAPTER 4

**PERMITS, FEES AND ENFORCEMENT**

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9-4-1: ZONING AND/OR BUILDING PERMITS REQUIRED

No building or other structure shall be erected, moved, added to or structurally altered, nor shall any building, structure or use of land be established or changed without a permit being issued by the administrator. Zoning and/or building permits shall be issued only in conformity with the provisions of this Title. (Ord. 5, 7-13-1939; Ord. 2008-4)

9-4-2: BUILDING PERMIT

- A. Building Permit Application: The application for a building permit shall be signed by the owner or applicant attesting to the truth and exactness of all information supplied. Each application shall clearly state that the permit shall expire and may be revoked if work has not begun within one year.

Applications shall be on forms provided by the Administrator. All information, including a site plan, and other maps, diagrams, drawings, calculations and tabulations called for on those forms shall be required for a complete application and no incomplete application shall be accepted. The Administrator may also require multiple copies to be submitted. Any and all applicable fees shall be paid, in full, at the time of application.

- B. Approval of Permit

- 1. Within thirty (30) days after the receipt of an application, the administrator shall either approve, approve with conditions, or disapprove the application in conformance with the provisions of this Title.

- 2. All permits shall be conditional upon the commencement of work within one year.

- a. One copy of the plans shall be returned to the applicant after the administrator shall have marked such copy either as approved or disapproved and attested to the same by his signature on such copy.

- b. The administrator shall retain one copy of the plans, similarly marked.

- c. The administrator shall issue a placard, to be posted in a conspicuous place on the property in question, attesting to the fact that the use or alteration is in conformance with the provisions of this Title.

- C. Time Limit: If the work described in any permit has not begun within one year from the date of issuance, the permit shall be revoked by the administrator and written notice shall be given to the persons affected. All work described in any

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permit shall be completed within three (3) years from the date of issuance or said permit shall be revoked by the administrator and written notice shall be given to all persons affected. In either case, a new permit will be needed before work may continue.

- D. Construction And Use To Be As Provided: A permit issued on the basis of an application and plans approved by the administrator authorize only the uses and arrangements set forth in such approved application and plans. No other use, arrangement or construction is allowed. Use, arrangement or construction contrary to that authorized shall be deemed a violation of this Title.
- E. Failure To Obtain Permit: Failure to obtain a building/zoning permit shall be in violation of this Title.
- F. Records Of Actions: Appropriate permits as defined in this Title shall be forwarded to the county assessor as required in Idaho Code section 67-6522. (Ord. 2008-4)

### 9-4-3: FEES, CHARGES AND EXPENSES

- A. Established: The city council shall establish, by resolution, a schedule of fees and collection procedure for permits, appeals, variances, plat approvals and all other matters pertaining to the administration and enforcement of this Title which require investigation, inspection, legal advertising, postage and/or other expenses.
- B. Posting: The schedule of fees shall be posted in the office of the administrator and may be altered or amended only by resolution of the city council. Until all applicable fees, charges and expenses have been paid in full, no action shall be taken on any application or appeal.
- C. Payment: All fees pertaining to permits, appeals, variances, plat approvals and all other matters pertaining to the administration and enforcement of this Title shall be paid to the office of the administrator. (Ord. 38, 11-5-1984; Ord. 23, 5-1981; Ord. 22, 5-1981; Ord. 2008-4)

### 9-4-4: INSPECTION

Appropriate agencies and departments shall inspect or cause to be inspected improvements such as buildings, fire hydrants and water supply, sewage disposal systems, etc., in the course of construction, installation or repair. Excavations for fire hydrants and water and sewer mains and laterals shall not be covered or backfilled until such installation shall have been approved. If any such installation is covered before being inspected and approved, it shall be uncovered after notice to uncover has been issued by the city to the responsible person. (Ord. 23, 5-1981; Ord. 22, 5-1981; Ord. 2008-4)

### 9-4-5: ENFORCEMENT

- A. Complaints Regarding a Violation: Whenever a violation of this Title occurs, or is alleged to have occurred, any person may file a written complaint with the administrator.

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1. Such complaint, stating fully the cause and basis thereof, shall be filed with the administrator.
  2. The administrator shall properly record such complaint, immediately investigate and take action thereon as provided by this Title.
  3. The administrator shall report in writing within fourteen (14) days to the person filing the complaint regarding the disposition of the complaint.
- B. Penalty: The city attorney shall, in addition to taking whatever criminal action deemed necessary, take steps to civilly enjoin any violation of this Title.
1. Participating Persons: The landowner, tenant, subdivider, builder, public official or any other person who commits, participates in, assists in or maintains such violation may be found guilty of a separate offense.
  2. Fine; Imprisonment: Upon conviction of any violation of any of the provisions of this Title, such persons shall be subject to penalty as provided in Section 1-4-1 of this Code.
  3. Action To Restrain Or Prevent: Nothing herein contained shall prevent the city council or any other public official or private citizen from taking such lawful action as is necessary to restrain or prevent any violation of this Title or of the Idaho Code. (Ord. 38, 11-5-1984; Ord. 23, 5-1981; Ord. 22, 5-1981; Ord. 2008-4)