

CHAPTER 2400
ZONING ORDINANCE
Enforcement

Enacted 9/18/18 by Ordinance No. 22-2018

2401	Zoning Permits Required.
2402	Contents of Application for Zoning Permit.
2403	Approval of Zoning Permit.
2404	Zoning Permit Application Process.
2410	Certificate of Occupancy.
2411	Temporary Certificate of Occupancy.
2412	Record of Zoning Permits and Certificates of Occupancy.
2420	Failure to Obtain a Zoning Permit or Certificate of Occupancy.
2430	Construction and Use to Be as Provided in Applications, Plans, Permits, and Certificates.
2440	Complaints Regarding Violations.
2441	Entry and Inspection of Property.
2442	Stop Work Order.
2443	Zoning Permit Revocation.
2444	Notice of Violation.
2450	Penalties for Violation.
2460	Schedule of Fees, Charges, and Expenses.

SECTION 2401: Zoning Permits Required.

No building or other structure shall be erected, moved, added to, or structurally altered so as to change the outside shape, nor shall any building, structure, or land be established or changed in use, without permit issued by the Zoning Administrator. Zoning permits shall be issued only in conformity with the provisions of this Ordinance.

SECTION 2402: Contents of Application for Zoning Permit.

The application for a zoning permit shall be signed by the owner or legal applicant attesting to the truth and exactness of all information supplied on the application. Each application shall clearly state that the permit shall expire if work has not begun within **six (6)** months of the date of the approved application or is not substantially completed within **one (1)** year, unless an extension is granted by the Planning Commission. In addition, any work described in the canceled permit shall not proceed unless and until a new zoning permit has been obtained or an extension is granted by the Planning Commission. The applicant shall provide all the information requested on the zoning permit application. For detailed description of the zoning permit process, see Section 2404.

SECTION 2403: Approval of Zoning Permit.

Within **sixty (60)** days after the official receipt of an application, the Zoning Administrator or Planning Commission shall either approve or disapprove the application in conformance with the provisions of this ordinance. All zoning permits shall, however, be conditional upon the commencement of work within **one (1)** year. One copy of the plans shall be returned to the applicant by the Zoning Administrator, after the Zoning Administrator marks such copy either as approved or disapproved and attests to same by placing his/her signature on such copy. Multi-Family Residential (R3), Business (B), and Manufacturing (M) district applications will bear the signature of the Chairperson of the Planning Commission. The Zoning Administrator shall retain one copy of the plans, similarly marked. If the application is approved, the Zoning Administrator shall issue a permit 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 Ordinance (**Section 2404**).

SECTION 2404: Zoning Permit Application Process.

The following is a description of the zoning permit process in the Village of Holland.

CHAPTER 2400
ZONING ORDINANCE
Enforcement

Enacted 9/18/18 by Ordinance No. 22-2018

1. Submit the appropriate applications and fees for the proposed land use as required by the Village of Holland to the Zoning Administrator. On these forms, a detailed description shall be provided of the project(s) or land use(s).
2. All applications, whether residential, commercial, or industrial are reviewed to determine if they have been properly completed. If the application is deemed incomplete by the Zoning Administrator, the application will be returned to applicant. The Zoning Administrator will provide a detailed description of the application's deficiencies. Until the application bears the Zoning Administrator's signature, it has not been officially received by the Village of Holland. Therefore, any unofficial application will not proceed past this step of the process.
3. The application and site plans are reviewed by the Zoning Administrator for their compliance with the regulations that are in this ordinance. If the site plan fails to meet all the requirements set forth in this Ordinance, then the plan will be returned to the owner or agent representing said person with a letter indicating the deficiencies of the plan.
4. If the application meets all regulations contained in this Ordinance, all new residential construction within a residential district with three units or more, B, and M application site plans will be submitted to the Village Engineer and/or Lucas County Sanitary Engineer for review. Any other types of applications may be forwarded to the Village Engineer and/or the Lucas County Sanitary Engineer if deemed necessary by the Zoning Administrator. The Planning Commission will review all recommendations proposed by the above agencies.
5. **All zoning permit applications for R3, B and M districts** shall be submitted to the Planning Commission for review and approval. A site checklist will be completed by the Zoning Administrator for all R3, B, and M applications.
6. All other applications meeting all provisions of the zoning ordinance may be approved and issued by the Zoning Administrator. If so desired by the Zoning Administrator, he/she will forward the application to the Planning Commission for review. The Zoning Administrator will complete a site checklist for any applications reviewed by the Planning Commission.

SECTION 2410: Certificate of Occupancy.

In B and M districts, it shall be unlawful to use/occupy or permit the use/occupancy of any building or premises, or both, without an occupancy certificate issued by the Zoning Administrator. The certificate is not transferable when a facility changes owners, operators and/or uses.

SECTION 2411: Temporary Certificate of Occupancy.

The Zoning Administrator at his/her discretion may issue a temporary certificate of occupancy for a period not exceeding **six (6)** months during alterations or partial occupancy of a building pending its completion.

SECTION 2412: Record of Zoning Permits and Certificates of Occupancy.

The Zoning Administrator shall maintain a record of all zoning permits and certificates of occupancy. Copies of such along with payment records of established fees shall be furnished to any person upon request in accordance with the Village of Holland public record policies.

SECTION 2420: Failure to Obtain a Zoning Permit or Certificate of Occupancy.

Failure to obtain a zoning permit or certificate of occupancy shall be a violation of this Ordinance and punishable under **Section 2450** of this Ordinance.

CHAPTER 2400
ZONING ORDINANCE
Enforcement

Enacted 9/18/18 by Ordinance No. 22-2018

SECTION 2430: Construction and Use to Be as Provided in Applications, Plans, Permits, and Certificates.

Zoning permits or certificates of occupancy issued on the basis of plans and applications approved by the Zoning Administrator or the Planning Commission authorize only the use, and arrangement, set forth in such approved plans and applications or amendments thereto, and no other use, arrangement, or construction. Use, arrangement, or construction contrary to that authorized shall be deemed a violation of this ordinance, and punishable as provided in **Section 2450** of this Ordinance.

SECTION 2440: Complaints Regarding Violations.

Whenever a violation of this ordinance occurs, or is alleged to have occurred, any person may file a written complaint. A complaint stating fully the causes and basis thereof, including complainant contact information, shall be filed with the Zoning Administrator. The Zoning Administrator shall record properly such complaint, immediately investigate, and take action as provided in this ordinance. No provisions of this Ordinance shall prevent the Zoning Administrator from acting on anonymous complaints, or on his/her own initiative.

SECTION 2441: Entry and Inspection of Property.

The Zoning Administrator is authorized to make inspections of properties and structures in order to examine and survey the same, at any reasonable hour, for the purpose of enforcing the provisions of this Ordinance. Prior to seeking entry to any property or structure for such examination or survey, the Zoning Administrator shall attempt to obtain the permission of the owner or occupant to inspect. If such permission is denied or cannot be obtained, the Zoning Administrator shall secure a valid search warrant prior to entry.

SECTION 2442: Stop Work Order.

Subsequent to his/her determination that work is being done contrary to this Ordinance, the Zoning Administrator shall issue a stop work order and post it on the premises involved. Removal of, or disobeying a stop work order, except by the order of the Zoning Administrator, shall constitute a violation of this Ordinance and punishable under **Section 2450**.

SECTION 2443: Zoning Permit Revocation.

The Zoning Administrator may issue a revocation notice to revoke a permit or administrative approval that was issued contrary to this Ordinance or based upon false information or misrepresentation in the application.

SECTION 2444: Notice of Violation.

Whenever the Zoning Administrator determines that there is a violation of any provision of this Ordinance, a notice of violation shall be issued. The notice of violation shall indicate the ordinance section violated and the corrective action required. The Zoning Administrator shall mail this notice to the property owner, business, or resident in violation, and keep a record of this violation in his/her office.

SECTION 2450: Penalties for Violation.

Violation of the provisions of this Zoning Ordinance, or failure to comply with any of its requirements, shall constitute a minor misdemeanor. Any person who violates this Ordinance, or fails to comply with any of its requirements, shall be fined not more than **one hundred (100)** dollars per day, and in addition shall pay all costs and expenses involved in the subject case. Each day such violation continues after receipt of a violation notice shall be considered a separate offense. The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent, or other person who commits, participates in, or maintains

CHAPTER 2400
ZONING ORDINANCE
Enforcement

Enacted 9/18/18 by Ordinance No. 22-2018

such violation may be found guilty of a separate offense and suffer the penalties herein provided. In addition, subsequent to the Zoning Administrator's determination that work is being done contrary to this ordinance, he/she shall issue a stop work order and post it on the premises involved. Removal of a stop work order, except by the order of the Zoning Administrator, shall constitute a punishable violation of this Ordinance.

SECTION 2460: Schedule of Fees, Charges, and Expenses.

The Village Council shall establish a schedule of fees, charges, and expenses and a collection procedure for zoning permits, amendments, appeals, variances, conditional use permits, plan approvals, and other matters pertaining to the administration and enforcement of this Ordinance requiring investigations, inspections, legal advertising, postage, and/or other expenses. The schedule of fees shall be posted in the office of the Zoning Administrator and may be altered or amended only by the Village Council. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.
(Ord. 22-2018)