

## **ARTICLE XIX**

### **ADMINISTRATION AND ENFORCEMENT**

#### **SECTION 1900. ENFORCEMENT**

The provisions of this ordinance shall be administered and enforced by the Zoning Administrator or by such deputies as the Zoning Administrator or Township Board may delegate to enforce the provisions of this ordinance.

#### **SECTION 1901. DUTIES OF ZONING ADMINISTRATOR**

The Building Inspector shall have the power to grant occupancy permits and to make inspections of buildings or premises necessary to carry out his duties in the enforcement of this ordinance.

The Zoning Administrator shall record all nonconforming uses existing at the effective date of this ordinance for the purpose of carrying out the provisions of Section 1902.

Under no circumstances is the Zoning Administrator or Building Inspector permitted to make changes to this ordinance nor to vary the terms of this ordinance in carrying out their duties.

The Building Inspector shall not refuse to issue a permit when conditions imposed by this ordinance are complied with by the applicant despite violations of contracts, such as covenants or private agreements which may occur upon the granting of said permit.

#### **SECTION 1902. PLOT PLAN**

The Zoning Administrator and Building Inspector shall require that all applications for permits for uses not covered in Article XIV shall be accompanied by plans and specifications including plot plan information as hereinafter required.

- 1902-1. The actual shape, location and dimensions of the lot.
- 1902-2. The shape, size and location of all buildings or other structures to be erected, altered, or moved and of any building or other structures already on the lot.
- 1902-3. The location of drives, access ways, easements, septic tanks, drain fields, water bodies and watercourses.
- 1902-4. The existing and intended use of the lot and of all such structures upon it, including in residential areas, the number of dwelling units the building is intended to accommodate.
- 1902-5. Such additional information as may be required to review the application for conformance with this ordinance and to determine that the provisions of Article XIV are not applicable.
- 1902-6. All plans shall be drawn to an appropriate scale.

### **SECTION 1903. PERMITS**

The following shall apply in the issuance of any permit:

1903-1. Permits Not to be Issued

No building permit shall be issued for the erection, alteration or use of any building or structure or part thereof, or for the use of any land, which is not in accordance with all provisions of this ordinance.

1903-2. Permits for New Use of Land

No land heretofore vacant shall hereafter be used or an existing use of land be hereafter changed to a use of a different class or type unless a certificate of occupancy is first obtained for the new or different use.

1903-3. Permits for New Use of Buildings

No building or structure, or part thereof shall be changed to or occupied by a use of a different class or type unless a certificate of occupancy is first obtained for the new or different use.

1903-4. Permits Required

No building, structure, or part thereof shall be hereafter erected, altered, moved or repaired unless a building permit shall have been first issued for such work. The terms "altered" and "repaired" shall include any changes in structural parts, stairways, type of construction, type, class or kind of occupancy, light or ventilation, means of egress and ingress or any other changes affecting or regulated by the Township, except for minor repairs or changes not involving any of the aforesaid features.

1903-5. Voiding of Permits

Any building permit granted under this section shall become null and void unless the proposed development shall have passed its first building inspection within one year from the date of the granting of the permit. The provisions of this section notwithstanding, any building permit may be renewed in accordance with the provisions for building permit renewal set forth in the duly adopted building code of the Township.

### **SECTION 1904. CERTIFICATES**

No land, building, or part thereof shall be occupied by or for any use or change of use unless and until a certificate of occupancy shall have been issued for such use by the Building Inspector.

### **SECTION 1905. INSPECTIONS**

The construction authorized by any permit shall be subject to periodic inspections at intervals and upon completion of specific phases as determined by the Building Inspector. Upon completion of intervals or construction phases it shall be the duty of the holder of the permit to notify the Building Inspector of the time when the construction will be ready for inspection. Failure to properly notify shall be grounds for canceling a permit.

**SECTION 1906. FEES AND BONDS**

1906-1. Fee Requirements

Fees shall be assessed and collected in advance of the issuance of permits and the commencement of the work on a project for the purpose of covering the cost of administering the file, inspecting the work and reproducing copies therein as required under the provisions of this Ordinance. These fees may also include an escrow deposit for the inspection of all site improvements by the Building Inspector, Township Engineer, Township Planning Consultant and/or other designee as may be required to assist in the certification process.

1906-2. Bond Requirements

a. Building Permit Bond

Prior to the issuance of a building permit, the applicant shall file with the Township Building Department or Clerk, as cash bond in the form of a cash deposit, certified check or an irrevocable bank/title company letter of credit made out to Highland Township or a surety bond acceptable to Highland Township.

b. Site Improvement Bond

If all site improvements are not completed prior to the request for a certificate of occupancy, the Building Inspector may issue a temporary Certificate of Occupancy provided the applicant has filed a site improvement bond with the Township Building Department or Clerk. The site improvement bond shall be a cash bond in the form of a cash deposit, certified check or irrevocable bank/title company letter of credit made out to Highland Township equal to One hundred twenty five percent (125%) percent of the estimated cost of the incomplete site improvements as determined by the Building Inspector and/or his agent or a surety bond in the same amount acceptable to Highland Township.

c. Release of Bonds

A Building Permit Bond and/or a Site Improvement Bond shall not be released until all improvements and/or corrections to work installed incorrectly are complete in accordance with all of the codes and ordinances of the Township of Highland except that:

Monies deposited as a cash bond in the form of a cash deposit or a certified check or irrevocable bank/title company letter of credit for a Site Improvement Bond may be released in proportion to the work completed that is covered under the bond provided that the Building Inspector has certified that portion of the work is completed and the Township Board has approved the release of a portion of the bond. Only two requests for release of a proportional amount of a cash bond may be made by an applicant and the final ten percent (10%) shall be released within six (6) months of completion of all work covered by this bond.