

ARTICLE 27.00

ENFORCEMENT AND PENALTIES

Section 27.01 -- VIOLATIONS AND PENALTIES

- (a) Any person, firm or corporation failing to comply with any of the provisions of this Ordinance, including failure to comply with any of the conditions or safeguards established or imposed in connection with Site Plan Approval, Special Approval of Principal Permitted Uses or the grant of a zoning variance, shall be deemed in violation of this Ordinance. Each day a violation occurs or continues shall constitute a separate violation of this Ordinance.
- (b) Any violation of this Ordinance shall constitute a misdemeanor. Any person who is convicted of violating this Ordinance shall be fined, in addition to the costs of prosecution, not more than five hundred (\$500.00) dollars for each offense, or shall be punished by imprisonment for not more than 90 days for each offense, or both, at the discretion of the Court. Each day a violation occurs or continues shall constitute a separate offense. Furthermore, the owner or tenant of any building, structure, premise or part thereof, and any architect, engineer, builder, contractor, agent or other person who commits, participates in, assists in, or maintains any violation of this Ordinance may each be found guilty of a separate offense and may be subject to the penalties herein provided.

The imposition of any sentence shall not exempt the offense from compliance with the requirements of this Ordinance.

- (c) Other Rights or Remedies not Affected: The rights and remedies provided in this Ordinance are cumulative and shall be deemed to be in addition to, and shall not adversely effect, any and all other rights and remedies provided by law.
- (d) Rights and Remedies Preserved, No Waiver: Any failure or omission to enforce the provisions of this Ordinance, and any failure or omission to prosecute any violations of this Ordinance, shall not constitute a waiver of any rights and remedies provided by this Ordinance or by law, and shall not constitute a waiver of nor prevent any further prosecution of violations of this Ordinance.

Section 27.02 -- PUBLIC NUISANCE

Any building or structure which is erected, altered or converted, or any use of premises or land which is begun or changed subsequent to the effective date of this Ordinance and in violation of any of the provisions of this Ordinance is hereby declared to be a public nuisance per se. The Board of Appeals, any person designated by the City Council, or any aggrieved person may institute a suit in a court of law to have the nuisance abated.