

CHAPTER 15

ENFORCEMENT

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SECTION 1500. DUTY OF ZONING OFFICER AND OTHER OFFICIALS

- A. The Zoning Officer shall be responsible for the administration and enforcement of this Zoning Code. Assistance may be provided by such other persons as the Mayor may direct.
- B. If the Zoning Officer finds that any of the provisions of this Code are being violated, written notification shall be given to the persons responsible for such violations. Notice will indicate the nature of the violation and order the action necessary for correction. If necessary, the Zoning Officer shall take action to ensure compliance with or to prevent further violation of this Code as is authorized by law.
- C. The Zoning Officer shall have the authority to:
 - 1. Order the discontinuance of illegal use of land, buildings or structures;
 - 2. Order the removal of illegal buildings or structures or of illegal additions, alteration or structural changes;
 - 3. Order the discontinuance of any illegal work being done;
 - 4. Issue citations; and
 - 5. Take any other action authorized by the Zoning Code to ensure compliance with or to prevent violation of this Zoning Code.

SECTION 1501. BUILDING PERMIT AND CERTIFICATE OF OCCUPANCY

- A. Building Permit and Certificate of Occupancy Required

It shall be unlawful for any person, firm or corporation to erect, move, add to or structurally alter any building or structure, or to use or change the use of any building or land or to permit these actions, until a Building Permit or Certificate of Occupancy has been issued by the Zoning Officer.

B. Exemptions

A Certificate of Occupancy is not required for the following uses.

1. The continuation of an existing use, except as provided for Nonconforming uses. (See Chapter 14 and Section 1501.C)
2. The planting or harvesting of crops or gardens or the grazing of cattle or horses where permitted by Zoning District Regulations.

C. Nonconforming Structures and Uses

1. No Nonconforming structure or use shall be maintained, renewed, changed or extended until a Certificate of Occupancy has been issued by the Zoning Officer.
2. The Certificate of Occupancy shall state specifically how the Nonconforming use differs from the provisions of this Zoning Code.
3. Upon the effective date of this Zoning Code or amendment of these regulations owners or occupants of Nonconforming uses or structures shall have six (6) months to apply for a Certificate of Occupancy.

D. Application for Certificate of Occupancy

Application for a Certificate of Occupancy shall be made on a form supplied by the Zoning Officer. Additional information may be required as necessary to ensure compliance with this Code.

E. Response to Application for Certificate of Occupancy

1. After application the Zoning Officer may issue a Certificate of Occupancy, if the request conforms to the provisions of this Code.
2. If not approved, the Zoning Officer shall notify the applicant, in writing, of said refusal and state the reasons for denial.

F. Fees for Certificate of Occupancy

No Certificate of Occupancy shall be issued until a fee has been paid to the City Clerk in accordance with the Schedule of Fees adopted by resolution of the City Council of the City of Catoosa. (See the City Clerk or Zoning Officer for this Information and Appendix F.)

G. Failure to apply for a Certificate of Occupancy as required by this section shall be a violation of this Code.

SECTION 1502. PENALTIES FOR VIOLATION

- A. Any person, firm or corporation violating any provisions of this Code or failing to comply with any of its requirements, including violations but not limited to violations of conditions and safeguards established in connection with a grant of a Variance or Special Exception, shall be deemed guilty of a misdemeanor punishable by a fine of not more than \$100.00. Each day that a violation continues shall be deemed a separate offense upon conviction.
- B. Nothing contained herein shall prevent the City of Catoosa or its authorized officials from taking other action authorized by law to remedy a violation.

SECTION 1503. CONSTRUCTION AND USE SHALL BE AS PROVIDED IN APPROVED APPLICATIONS, PLANS AND PERMITS

- A. Certificates of Occupancy, Variances, Special Exceptions, and uses issued on the basis of approved plans, permits, and specifications authorize only those uses, arrangements or construction as approved in such Certificates of Occupancy, Variances, Special Exceptions and approved plans, permits or specifications. No other use, arrangement, or construction shall be permitted.
- B. Any use, arrangement, or construction not in accordance with that authorized shall be deemed a violation of this Code, and punishable as provided herein.

SECTION 1504. REMOVAL BONDS

- A. Removal Bonds shall be provided as required by this Zoning Code to ensure the removal and disposal of unsafe, derelict or abandoned structures.
- B. The construction of signs larger than 500 square feet in Display Surface Area requires the posting of a Removal Bond, which shall be submitted with the Building Permit application in an amount as specified herein and certified by a Registered Professional Engineer licensed to practice in the State of Oklahoma. The amount of said Bond shall be sufficient to remove and dispose of said sign in the case that it becomes unsafe, dilapidated, deteriorated or abandoned, and shall be in an amount of 125% of said Engineer's estimate to remove and dispose of such sign. The City of Catoosa shall be made the beneficiary of said Removal Bond.

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