

ORDINANCE 2018-02

ORDINANCE AMENDING FAIRMONT CITY CODE ARTICLE II,

SECTION 26-26. ENFORCEMENT OFFICER

WHEREAS, changes have been made to the City of Fairmont organizational chart and management staff since adoption of the Zoning Code in 1986; and,

WHEREAS, zoning applications and processes have changed as a direct result of organizational chart and staffing changes; and,

WHEREAS, prior Councils have not formally changed the City Code on zoning applications and processes; and,

WHEREAS, it is in the best interest of the City to codify the current practice of the Community Development staff.

NOW THEREFORE THE CITY OF FAIRMONT DOES ORDAIN, that Fairmont City Code Section 26-26 shall be amended as follows:

Sec. 26-26. - Enforcement officer.

(a) This chapter shall be administered and enforced by the community development division, with the ~~city engineer~~ Community Development Director or ~~his~~ the designated agent as the administrative officer of this chapter. His or her duties, among others, shall be to:

- (1) Serve as an ex-officio nonvoting member of the board of appeals and adjustments and planning commission.
- (2) Receive, review, analyze and develop written reports on all applications for permits, certificates, appeals, variances, amendments, plats or other development matters regulated by this chapter.
- (3) Issue permits when requirements of this chapter have been met, and maintain records thereof.
- (4) Conduct inspections to determine compliance with the terms of this chapter and take remedial action when required.

ORDINANCE 2018-02

(b) Upon finding that any of the zoning provisions of this chapter are being violated, or upon finding a condition which may lead to violation, the ~~city engineer~~ Community Development Director shall notify in writing the persons responsible for such violation or condition, ordering the action necessary to correct such condition or violation. He or she may order discontinuance of illegal work being done, order discontinuance of illegal use of structures and land, and order removal of illegal structures or additions. Further, in order to ensure compliance with or to prevent violations of this chapter, the ~~city engineer~~ Community Development Director may call upon the city attorney to institute legal proceedings and call upon the chief of police for assistance.

Motion by:
Seconded by:
All in Favor:
Opposed:
Abstained:
Absent:

PASSED, APPROVED AND ADOPTED THIS _____ day of February 2018.

Deborah J. Foster, Mayor

Patricia J. Monsen, City Clerk

1st Reading: January 22, 2018
2nd Reading: February 12, 2018