

ARTICLE 3

ENFORCEMENT

Rev: 10/11/25 - Yellow highlighted is from Jake Brand, Ashtabula County Planning Commission and Christine Davis, Ashtabula County Prosecutors Office

SECTION 300: ZONING PERMITS REQUIRED

No building or other structure shall be erected, moved, added to, ~~structure altered (per Trustees)~~, nor shall ~~any-~~ building, structure, or land be established, or changed in use without a permit therefor~~e~~, issued by the Zoning Inspector. Zoning permits shall be issued only in conformity with the provisions of this resolution unless the Zoning Inspector receives a written order from the Board of Zoning Appeals deciding an appeal, conditional use, or variance or from the Board of Township Trustees approving a Planned Unit Development District as provided by this Resolution.

SECTION 301: CONTENTS OF APPLICATION FOR ZONING PERMIT

The application for zoning permit shall be signed by the owner or applicant attesting to the truth and exactness of all information supplied on the application. Each application shall clearly state that the permit shall expire and be revoked if work has not begun within one (1) year or substantial completed within two and one-half (2 ½) years. At a minimum, the applicant shall contain the following information:

1. Name, address, phone number of applicants, email if applicable;
2. Legal description of property;
3. Existing use;
4. Proposed use;
5. Zoning district;
6. Plans in triplicate drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the exact size and location of the proposed buildings or alteration;
7. Building heights;
8. Number of off-street parking spaces or leading berths;
9. Number of dwelling units;
10. Such other matters as may be necessary to determine conformance with, and provide for the enforcement of this resolution.
11. This zoning permit authorizes inspection for compliance of the zoning permit, by the Zoning Inspector, of subject property during the timeframe stated above.

SECTION 302: APPROVAL OF ZONING PERMIT

Within thirty (30) days after the receipt of an application, the Zoning Inspector shall either approve or disapprove the application in conformance with the provisions of this resolution. All zoning permits shall, however, be conditional upon the commencement of work within one (1) year. One (1) copy of plans shall be returned to the applicant by the Zoning Inspector, after the Zoning Inspector shall have marked such copy either as approved ~~or and~~ disapproved and attested to same by his signature on such copy. One (1) copy of plans, similarly marked, shall be retained by the Zoning Inspector. The Zoning Inspector shall issue a placard, 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 resolution.

SECTION 303: SUBMISSION TO DIRECTOR OF TRANSPORTATION

Before any zoning permit is issued affecting any land within three-hundred (300) feet of the centerline of a proposed new highway, or a highway for which changes are proposed as described in the certification to

local officials by the Director of Transportation, or any land within a radius of five-hundred (500) feet from the point of intersection of said centerline with any public road or highway, the Zoning Inspector shall give notice, by registered mail to the Director of Transportation that he shall not issue a zoning permit for one-hundred twenty (120) days from the date the notice is received by the Director of Transportation. If the Director of Transportation notifies the Zoning Inspector that he shall proceed to acquire the land needed, the Zoning Inspector shall refuse to issue the zoning permit. If the Director of Transportation notifies the Zoning Inspector that acquisition at this time is not in the public interest or upon the expiration of the one-hundred twenty (120) day period of any extension thereof agreed upon the Director of Transportation and property owner, the Zoning Inspector shall, if the application is in conformance with all provisions of this resolution, issue the zoning permit.

SECTION 304: EXPIRATION OF ZONING PERMIT

If the work described in **any** zoning permit has not begun within one **(1)** year from the date of issuance thereof, said permit shall expire; it shall be revoked by the Zoning Inspector; and written notice thereof shall be given to the persons affected. If the work described in any zoning permit has not been substantially completed within two and one-half (2 ½) years of the date of issuance thereof, said permit shall expire and be revoked by the Zoning Inspector, and written notice thereof shall be given to the persons affected, together with notice that further work as described in the cancelled permit shall not proceed unless, and until, a new zoning permit has been obtained or extension granted. **- If property changes ownership the new owners must submit a new application to be reviewed for a new permit allowing only one (1) extension per application.**

~~SECTION 310: CERTIFICATE OF OCCUPANCY~~

~~It shall be unlawful to use, occupy, permit the use or occupancy of any building or premises, both, or part thereof hereafter created, erected, changed, converted, wholly or partially altered, or enlarged in its use or structure until a certificate of occupancy shall have been issued therefore by the Zoning Inspector stating that the proposed use of the building or land conforms to the requirements of this resolution.~~

~~SECTION 311: TEMPORARY CERTIFICATE OF OCCUPANCY~~

~~A temporary certificate of occupancy may be issued by the Zoning Inspector for a period not exceeding six (6) months during alterations or partial occupancy of a building pending its completion.~~

~~SECTION 312: RECORD OF ZONING PERMITS AND CERTIFICATES OF OCCUPANCY~~

The Zoning Inspector shall maintain a record of all zoning permits ~~and certificates of occupancy~~. Copies shall be furnished upon request to any person.

~~SECTION 320: FAILURE TO OBTAIN A ZONING PERMIT OR CERTIFICATE OF OCCUPANCY~~

Failure to obtain a zoning permit shall be a violation of this resolution punishable under Section 350 of this resolution.

SECTION 330: CONSTRUCTION AND USE TO BE AS PROVIDED IN APPLICATIONS, PLANS, PERMITS, AND CERTIFICATES

Zoning permits issued on the basis of plans and applications approved by the Zoning Inspector authorizes 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 resolution, and punishable as provided in Section 350 of this resolution.

SECTION 340: COMPLAINTS REGARDING VIOLATIONS

Whenever a violation of this resolution occurs, or is alleged to have occurred, any person may file a written complaint. ~~Such complaint stating fully the causes, and basis and in violation of Article and Section of the resolution,~~ thereof shall be filed with the Zoning Inspector. ~~The Zoning Inspector shall record properly such complaint, immediately investigate, report and file findings to The Board of Trustees's and to the Chairman of the Board of Appeals~~ before taking action thereon as provided by this resolution.

SECTIONS 350: PENALTIES FOR VIOLATION

Under ORC section 519.23, No building shall be located, erected, constructed, reconstructed, enlarged, changed, maintained, or used, and no land shall be used in violation of any resolution, or amendment or supplement to such resolution, adopted by any board of township trustees under sections 519.02 to 519.25, inclusive, of the Revised Code.

Violation of the provisions of this resolution or failure to comply with any of its requirements, including violations of conditions and safeguards established in various sections of this resolution shall constitute a misdemeanor. **A person who violates the resolution can be fined up to the amount of five hundred (\$500) dollars for each offense. Each day's continuation of a violation of this section may be deemed a separate offense. The fine shall be collected through a civil action in the Court of Common Pleas Court of Ashtabula County. (This is from Christine Davis of the prosecutor's office on 4/8/25)** ~~Any person who violates this resolution or fails to comply with any of the requirements shall upon conviction thereof be fined not more than one hundred (\$100.00) dollars or imprisoned for not more than thirty (30) days, or both, and in and addition shall pay all costs and expenses involved in the case. Each day a 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, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided. Nothing herein contained shall prevent the Township from taking such other lawful action as is necessary to prevent or remedy any violation.

SECTION 360: SCHEDULE OF FEES, CHARGES, AND EXPENSES

The Board of Township Trustees shall by resolution establish a schedule of fees, charges, and expenses and a collection procedure for zoning permits, amendments, appeals, variances, conditional use permits, plans approvals, and other matters pertaining to the administration and enforcement of this resolution requiring investigations, inspections, legal advertising, postage, and other expenses. The schedule of fees shall be posted in the office of the Zoning Inspector, and may be altered or amended only by the Board of Township Trustees. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

SECTION 370: STATE HIGHWAY SYSTEM ESTABLISHED

Under ORC section 5511.01, all state highways established by law shall continue to be known as state highways, and the state highway system established by law shall continue to be known as the state highway system. Before establishing any additional highways as part of the state highway system, or making any significant changes in existing highways comprising the system, the director of transportation shall notify the general community of the project and offer an opportunity for appropriate public involvement in the project process.