

ARTICLE XI ENFORCEMENT

SECTION A. ZONING INSPECTOR

1. It shall be the duty of the Zoning Inspector, who shall be appointed by the Board of Trustees, to enforce this Resolution. It shall also be the duty of all officials and employees of the Township to assist the Zoning inspector by reporting to that office new construction, reconstruction, land use, and violations of the Township zoning resolution.
2. Appeal from the decision of the Zoning Inspector may be made to the Board of Zoning Appeals, as provided in Article XII, Section C.2.a (Powers and Duties of the Board of Zoning Appeals).
3. The Zoning Inspector is hereby authorized and directed to enforce and carry out all provisions in accordance to ORC Section 519.24.

SECTION B. ZONING CERTIFICATE/PERMITS

1. ZONING CERTIFICATE REQUIRED¹
 - a. No building or other structure shall be erected, moved, added to, structurally altered, nor shall any building, structure, or land be established or changed in use without a certificate issued by the Zoning Inspector.
 - b. No Zoning Certificate/Permit shall be required for the use of any land for exempt agricultural purposes or the construction or use of buildings or structures incident to the use for exempt agricultural purposes of the land on which such buildings or structures are located.
 - c. Other permits may be necessary prior to issuance of the Zoning Certificate/Permits.
2. WRITTEN REQUEST

With a written request from the owner; contractor, architect, or tenant with the owner's written permission, the Zoning Inspector shall issue a Zoning Certificate for any building or premises existing at the time of enactment of this Resolution certifying, after inspection, the extent and kind of use made of the building or premises and whether such use conforms to the provisions of this Resolution.

 - a. It shall be the duty of the Zoning Inspector to issue a certificate, provided that the structure, building, or premises, and the proposed use thereof conform with all requirements of this Resolution. No permit for excavation or construction shall be issued by the Zoning Inspector unless the plans, specifications, and the intended use conform to the provisions of this Resolution.
 - b. Zoning Certificates shall be issued only in conformity with the provisions of this Zoning Resolution unless the Zoning inspector receives a written order from the Board of Zoning Appeals deciding an appeal, conditional use, or variance.

¹ HISTORY: Amended Effective February 17, 2011

SECTION B. ZONING CERTIFICATE/PERMITS (Contd.)

3. FEE FOR ZONING CERTIFICATE
 - a. A fee in an amount consistent with a separate resolution passed by the Perrysburg Township Trustees shall accompany each application for a Zoning Certificate.²
 - b. The Zoning Inspector shall forthwith deposit all fees with the Township Fiscal Officer, who shall credit such fees to the General Fund of the Township.³
4. APPLICATION AND ISSUANCE OF ZONING CERTIFICATES AND PERMITS ⁴
 - a. **Buildings.** Written application for a Zoning Certificate for the construction of a new building or for the alteration of an existing building shall be made before the application for a building permit. Said Certificate shall be issued within ten (10) days after a written request for the same has been made to the Zoning Inspector or his agent, provided such construction or alteration is in conformity with the provisions of this Resolution.⁵
 - b. **Land.** Written application for a Zoning Certificate for the use of vacant land, or for a change in a nonconforming use, as herein provided, shall be made to the Zoning Inspector. If the proposed use is in conformity with the provisions of this Resolution, the Certificate therefore shall be issued within fifteen (15) days after the application for same has been made.
 - c. Upon written request from the owner or tenant, the Zoning inspector may issue a Zoning Certificate for any building or premises existing at the time of enactment of this Resolution certifying, after inspection, the extent and kind of use made of the building or premises and whether such use conforms to the provisions of this Resolution. No charge shall be made for issuing a Zoning Certificate in accordance with this paragraph.
 - d. **Application Contents**
 - (1) Every application for a Zoning Certificate shall be accompanied by a plot plan and such other plans as may be necessary to show the location and type of building to be erected or alterations to be made.
 - (2) Storm Water Plans. For any land disturbance encompassing an area greater than one (1) acre, the applicant shall submit storm water pollution prevention plans (SWP3) prepared by a professional engineer registered in the State of Ohio and properly submitted to the Ohio EPA (Environmental Protection Agency). Said plans shall be designed to meet best management principles and practices for storm water management, retention, or detention adopted by the Wood County Soil and Water Conservation District or rules and regulations promulgated by the Wood County Engineer based upon agricultural run-off rates as appropriate. Detention / Retention ponds shall be subject to the design requirements found in Article VII, Section T (Ponds, Lakes, and Borrow Pits).⁶

² HISTORY: Amended Effective February 18, 2005

³ HISTORY: Amended Effective February 17, 2011

⁴ HISTORY: Amended Effective February 18, 2005

⁵ HISTORY: Amended Effective February 18, 2005

⁶ HISTORY: Amended Effective February 17, 2011

SECTION B. ZONING CERTIFICATE/PERMITS (Contd.)

- e. **Issuance.** The Zoning Inspector will issue a Certificate, provided he is satisfied that the structure, building, or premises, and the proposed use thereof conform with all the requirements of this Resolution. No permit for excavation or construction shall be issued by the Zoning Inspector unless the plans, specifications, and the intended use conform to the provisions of this Resolution. NOTE: The Zoning Inspector shall not issue a Zoning Certificate for any application requiring a Site Plan Review unless approved by the Zoning Commission.
- f. **Certificate.** Every Zoning Certificate shall state that the building or proposed use of a building or land complies with all provisions of law. The Zoning Inspector shall maintain a record of all Zoning Permits and Certificates of zoning compliance and copies shall be furnished upon request to any person.
- g. **Effect of Issuance.** No Zoning Certificate issued hereunder shall be deemed to constitute permission or authorization to maintain an unlawful violation of the requirements of this Zoning Resolution, nor shall any permit issued hereunder constitute a defense in an action to abate a zoning violation.
- h. **Suspension or Revocation of Zoning Certificate/Permit.** The Zoning Inspector shall, in writing, suspend or revoke a Zoning Certificate issued under this Section whenever the permit is issued on the basis of a misstatement of fact or fraud.
- i. **Expiration and Extension of Zoning Certificate/Permit**
 - (1) All Zoning Certificates shall be conditional upon the substantial commencement of work or authorized change in use within one (1) year. Lack of substantial commencement of work shall be indicated where the applicant's financial position in the land use, building, or structure has not materially changed in reliance on the permit or where at least thirty-five (35) percent of the project cost has not been expended. After one (1) year of the date of issuance of a Zoning Certificate, the Zoning Certificate shall expire and shall be null and void.
 - (2) Zoning Certificates shall be conditional upon the efforts of a permit-holder to continue and complete construction once it has begun. Lack of continuous efforts shall be indicated if work authorized by the Zoning Certificate is suspended or abandoned for one hundred twenty (120) days any time after the work is commenced, whereupon the Zoning Certificate shall expire and become null and void.
 - (3) Prior to the expiration of a Zoning Certificate, the Zoning Inspector may grant a six (6) month extension of the Zoning Certificate/Permit for good cause at the request of the permit holder, unless an applicable provision of this Zoning Resolution was amended after the issuance of the initial Zoning Certificate, whereupon, the permit holder shall comply with the new applicable provisions of the Zoning Resolution.

SECTION B. ZONING CERTIFICATE/PERMITS (Contd.)

- (4) Upon the expiration of a Zoning Certificate, a new Zoning Certificate is required and re-application must be made and be obtained before work is recommenced, and the fee for such other permit shall be one-half the amount required for a new permit for such work, provided that no changes have been made in the original plans. Such other permit shall not be unreasonably withheld, provided that proper application therefore is made and that the fee for such permit is paid.

5. DEVELOPMENT IN IDENTIFIED SPECIAL FLOOD HAZARD AREA (SFHA)

- a. Before beginning any development in an identified SFHA, a "Special Flood Hazard Area Development Permit" must be obtained from the local Flood Plain Administrator, i.e., the Wood County Planning Commission. Applications for such permits may be obtained from the County Planning Commission or from the Perrysburg Township Zoning Inspector. Maps delineating the identified SFHAs are available from the local Flood Plain Administrator or may be viewed in the office of the Township Zoning Inspector.
- b. As per the Wood County Flood Damage Prevention Regulations, and for the purposes of this section, the term "development" includes, but is not limited to:
 - (1) the construction or alteration of a building or structure, or a substantial improvement to a building or structure;
 - (2) the installation or placement of a manufactured home;
 - (3) the excavation, mining, filling, grading, paving, or drilling of the land;
 - (4) the dredging of, or alteration of the course of, a waterway; or
 - (5) the storage of equipment or materials in buildings or structures, or in the open.
 - (6) The "Special Flood Hazard Area Development Permit" issued by the local Flood Plain Administrator must be presented to the Zoning Inspector when application for a Zoning Certificate is submitted for any development within an identified SFHA.

6. CERTIFICATE OF ZONING COMPLIANCE

- a. It shall be unlawful to use or occupy or permit the use or occupancy of any commercial or industrial building or premises, or both or part thereof created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure until a Certificate of Zoning Compliance 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. The Zoning Inspector may seek review and approval from the local fire department before issuing a Certificate of Zoning Compliance.
- b. A Certificate of Zoning Compliance shall be issued only after the applicant/owner certifies to the Zoning Inspector that the location or street address is displayed on that portion of the building closest to the public street or highway, and is visible from the street or highway. Address assignments are available from the Wood County Planning Commission.

SECTION B. ZONING CERTIFICATE/PERMITS (Contd.)

7. VIOLATIONS AND PENALTIES⁷

It shall be unlawful to locate, relocate, erect, construct, reconstruct, enlarge, change, maintain, or use, any building or land in violation of any regulation of this Resolution, any amendment or supplement thereto or without a permit required by this Resolution. Any person, firm, or corporation violating any regulation in or any provision of this Resolution or any amendment or supplement thereto, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than five hundred dollars (\$500.00). Each and every day during which such illegal location, erection, construction, reconstruction, enlargement, change, maintenance, or use continues, may be deemed a separate offense. See: ORC Sections 519.23 and 519.99.

8. VIOLATIONS – REMEDIES

Any Certificate issued upon a false statement shall be voidable. Whenever the fact of such false statement shall be established to the satisfaction of the Board of Township Trustees, the Certificate may be revoked by notice in writing to be delivered to the holder of the Certificate upon the premises concerned, or, if such holder be not found there, by posting the said notice or revocation in some conspicuous place upon the said premises. Any person who shall proceed thereafter with such work or use without having obtained a new Certificate in accordance with this Resolution shall be deemed guilty of violation thereof. In case any building is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained, or used, or any land is or is proposed to be used in violation of this Resolution or any amendment or supplement thereto, the Zoning Inspector, the County Prosecutor, Township's Legal Council, or any adjacent or neighboring property owner who would be especially damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement, or any other appropriate action, actions, proceeding or proceedings to prevent, enjoin, abate, or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance, or use. See: ORC Section 519.24.

⁷ HISTORY: Amended Effective February 18, 2005