

## CHAPTER 20

### COMPLAINTS, VIOLATIONS, PENALTIES AND ADMINISTRATIVE FEES

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#### 20-1 APPLICABILITY

Chapters of the JCZO that define violations and specify penalties for such shall control over those particular chapters. If a chapter is silent to violations and penalties, then this chapter shall control.

#### 20-2 COMPLAINTS

- A. If any violation of the JCZO occurs or is alleged to have occurred, any person, including County Officials, may file a written Complaint. The written Complaint, stating fully the basis for the alleged violation, shall be filed with the Administrator and/or Building Official.
- B. The Administrator and/or Building Official shall investigate such Complaint and take appropriate action thereon.

#### 20-3 VIOLATIONS

- A. It shall be unlawful for any person to violate, or fail, neglect or refuse to comply with, any provision of the JCZO; or to engage in or maintain any land use outside the parameters of the JCZO, or outside the parameters or conditions of a permit issued pursuant to the JCZO; or for any person to allow a land use, or any aspect thereof, to be occupied or operated from, knowing such use is not in compliance with the provisions of the JCZO.
- B. It shall be unlawful for any person to knowingly make any false material statements or to make a known material omission in any document required to be submitted under the provisions of the JCZO.
- C. For each twenty-four (24) hour period a violation under this section continues it shall be considered a separate offense.
- D. Notice of Violations of this chapter shall be recorded in the office of the Jerome County Recorder and shall run with the land. Once resolved, a Notice of Release of Violation shall be recorded in the office of the Jerome County Recorder.

#### 20-4 PENALTIES

Any violation of this chapter shall be punishable as a misdemeanor as provided in

Section 18-113 Idaho Code, as amended from time to time.

20-5 ADMINISTRATIVE FEES

The costs associated with administering violations of the JCZO may be assessed and collected by the Administrator. Such fee amount shall be as follows:

- A. Where procedures for compliance do not require a permit or a hearing before the Planning and Zoning Commission the amount of the administrative fee shall be established by the County Commissioners and posted in the office of the Administrator.
- B. Where procedures for compliance require that a permit be applied for and issued, the amount of the administrative fee shall equal the amount of the permit fee. This administrative fee shall be in addition to the permit fee or other fees, charges or expenses provided for or established elsewhere in the JCZO.
- C. Administrative fees shall be paid within twenty (20) days after notification of a violation.

20-6 EXEMPTION

The violation and penalty provisions of this chapter, as well as those found elsewhere in the JCZO, shall not be construed to apply to any section of the JCZO which designates the duties of any county employee or other personnel unless the intention to impose a violation and penalty on such person is specifically and clearly expressed in the section creating the duty.