

CHAPTER 20 ENFORCEMENT

20-1. BUILDING AND ZONING PERMITS ARE REQUIRED

20-1.01 BUILDING PERMITS

No building or other structures shall be erected, moved augmented, or structurally altered; and no building, structure, or land shall be established or changed in use unless a permit for such change has been issued by the Building Official. Permits shall be issued only in conformance with the provisions of this Ordinance. This paragraph shall not apply to fences, windbreaks, sheds, or accessory buildings having two hundred (200) square feet or less of floor area unless otherwise mandated by the latest adopted version of the International Building Code.

20-1.02 AGRICULTURAL BUILDINGS EXEMPTED FROM BUILDING PERMITS

All agricultural buildings as defined in Chapter 2 do not require a Building Permit as stated in the currently applicable adopted Building Code.

20-1.03 ZONING PERMITS ARE REQUIRED

All buildings and structures that do not currently require a Building Permit as stated in the currently applicable adopted Building Code or under the Jerome County Zoning Ordinance shall require a Zoning Permit. This paragraph shall not apply to fences or windbreaks.

20-2. CONTENTS OF A BUILDING APPLICATION

20-2.01 The Application for a Building Permit shall be signed by the owner, or the applicant, and it shall certify that all information supplied on the application is true and correct. Each application shall clearly state that the permit expires and is revoked if work has not commenced as stipulated in currently adopted Uniform Building Code. The application shall contain the following information:

- A. Name, address and telephone number of applicant.
- B. Legal description of property.
- C. Present, existing use.
- D. Proposed use.
- E. Zoning district.
- F. A plan, drawn to an acceptable scale, showing the exact dimensions and the shape of the lot to be built upon; the exact size and location of any existing buildings on the lot; and the exact location and dimensions of the proposed building(s) or alterations(s).
- G. Building heights.
- H. Number of off-street parking spaces or loading berths
- I. Number of dwelling units.
- J. Proposed sewer and water facilities.

- K. Such other information as required to establish that the proposal conforms to the requirements of this Ordinance as well as to enable enforcement of this Ordinance.
- L. The Building Official may require a Certificate of Insurance to verify State Insurance requirements are being met.

20-3. APPROVAL OF A BUILDING PERMIT

20-3.01 Within thirty (30) days following the receipt of an application, the Building Official shall either approve or deny the application in conformance with the provisions of this Ordinance. Building Permits shall be conditioned upon the commencement of work within one hundred eighty (180) days. One (1) copy of the plans shall be returned to the applicant by the Building Official after the Building Official has marked said copy as either approved or disapproved and certified the same by his signature on said copy. One (1) copy of the plans, similarly marked, shall be retained by the Building Official. The Building Official shall issue a placard which is to be posted in a conspicuous place on the property concerned with the permit; the placard shall certify that the use or alteration in progress is in conformity to the provisions of this Ordinance.

20-4. EXPIRATION OF BUILDING PERMIT

20-4.01 Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

20-5. CERTIFICATE OF OCCUPANCY

20-5.01 It shall be unlawful to use, occupy, or permit the use or occupancy of any building, premises, or both, or part thereof and thereafter created, erected, changed, converted, or wholly or partly altered or enlarged with respect to its use or structure unless a Certificate of Occupancy for such use or activity has been issued by the Building Official stating that the proposed use of the building or land conforms to the requirements of this Ordinance and with all conditional provisions that may have been imposed.

20-6. TEMPORARY CERTIFICATE OF OCCUPANCY

20-6.01. A Temporary Certificate of Occupancy may be issued by the Building Official for a period not exceeding six (6) months during alterations or partial occupancy of a building pending its completion.

20-7. RECORDS OF BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY

20-7.01 The Building Official shall maintain a record of all Building Permits and Certificates of Occupancy. Copies of the Certificates shall be furnished to any person upon request.

20-8. FAILURE TO OBTAIN A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY

20-8.01 Failure to obtain a Building Permit shall be a violation of this Ordinance.

20-8.02 A notice of failure to obtain a Certificate of Occupancy shall be recorded with the Jerome County Recorder on any building or structure that so fails to obtain such a certificate.

20-8.03 When a building permit or any extensions issued thereon has expired prior to completion of the project, all remaining and all unfinished areas of the project require the purchasing of a new building permit before work can continue and such unfinished areas completed.

20-9. CONSTRUCTION AND USE TO BE AS PROVIDED IN APPLICATION, PLANS, PERMITS, AND CERTIFICATES

20-9.01 Building Permits or Certificates of Occupancy issued on the basis of plans and applications approved by the Building Official authorize only those uses and arrangements which have been set forth on the plans and applications or amendments thereto. Uses, arrangements, or constructions other than those authorized shall be a violation of this Ordinance.

20-9.02 No construction shall commence until a pre-inspection of the setbacks are conducted on the property. The property line shall be staked to verify that the edge of the construction of the structure and septic system meets the minimum setback requirements of the Jerome County Zoning Ordinance and the Health Authority's regulation. The staking of the property lines is the responsibility of the property owner. The septic system shall be no closer than five feet from the property line or conform to the Health Authority's regulation.

20-10. CONTENTS OF A ZONING PERMIT APPLICATION

20-10.01 The Application for a Zoning Permit shall be signed by the owner or the applicant and certify that the application is true and correct. The application shall contain the following information:

- A. Name, address and telephone number of the applicant.
- B. Real Property legal description of the property from the Assessor's Office.
- C. Job address.
- D. Septic number.
- E. Description of the proposed structure that will be constructed.

- F. Numbers posted at the entrance of the driveway.
- G. Height of the building from the ground to the peak of the roof.
- H. A Site Plan, drawn to an acceptable scale, showing the exact dimensions and the shape of the lot to be built upon, the exact size and location of any existing buildings on the lot; roadways, ditches and canals; and the exact location and dimensions of the proposed building(s) or alterations.
- I. New access off of the highway access requires a highway access permit from the appropriate highway districts.
- J. All structures that exceed 150 feet from the highway, road or turnaround require an approval from the appropriate fire districts.
- K. All structures shall be a minimum of 15 feet from the toe of a canal.

20-11. AGRICULTURAL BUILDING ZONING PERMIT

20-11.01 The Application for Agricultural Building Zoning Permit shall be signed by the applicant and certify that the application is true and correct. The application shall contain the following information:

- A. Date.
- B. Name of property owner.
- C. Telephone number and address.
- D. Job location.
- E. Real Property legal description from the Assessor's Office.
- F. Acres of land where the structure is being built.
- G. Existing use.
- H. Zoning District.
- I. A Site Plan drawn to acceptable scale, showing the exact dimensions and the shape of the lot to be built upon; the exact size and location of any existing building on the lot, roadways, ditches or canals and the exact location and dimensions of the proposed building(s) or alteration(s). A floor plan shall be submitted of the agricultural building.

20-12. APPROVAL OF AN AGRICULTURAL BUILDING AND ZONING PERMITS

20-12.01 Within thirty (30) days following the receipt of an application, the Zoning Administrator or representative shall either approve or deny the application in conformance with the provisions of this Ordinance.

20-12.02 The applicant shall not occupy or use the building until the applicant shall have final approval by the Building Inspector, Zoning Administrator or his representative.

20-13. COMPLAINTS AND VIOLATIONS

20-13.01 COMPLAINT PROCEDURE

- A. If any violation of this Ordinance 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 properly record such Complaint, and take appropriate action thereon.

20-13.02 ADMINISTRATIVE FEES

The Administrator may assess and collect an administrative fee for violations of the JCZO.

- 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 fifty dollars (\$50.00).
- 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 this ordinance. Failure to pay this administrative fee after notification is a violation of the Jerome County Zoning Ordinance and may be prosecuted as a separate violation of the provisions of this ordinance with the penalties prescribed within Chapter 20-14.

20-14. PENALTIES

20-14.01 The Prosecuting Attorney, in addition to taking whatever criminal action is deemed necessary, shall proceed to civilly enjoin any violation of this Ordinance. Penalties for violations of the provisions of this Ordinance shall be as follows: Violation of any of the provisions of this Ordinance or failure to comply with any of its requirements shall constitute a misdemeanor. Each day such violation continues shall be considered a separate offense. The landowner, tenant, subdivider, builder, public official or other person who commits, participates in, assists in or maintains such violation may be found guilty of a separate offense. Nothing herein contained shall prevent the Board or any other public official or private citizen from taking such lawful action as is necessary to restrain or prevent a violation of this Ordinance or of the Idaho Code.

20-14.02 Where a similar offense, act or omission is punishable under different sections of this Code, the Administrator, Board of County Commissioners or County Prosecutor, as the case may be, may elect to proceed under any appropriate section. The imposition of any one penalty hereunder shall not preclude the use of another penalty or all penalties.

20-14.03 The penalty provisions of this chapter shall not be construed to apply to any section of this Code which designates the duties of any officer or employee of the County unless the intention to impose a fine or penalty on the officer or employee of the County is specifically and clearly expressed in the section creating the duty.

20-15. SCHEDULE OF FEES, CHARGES, AND EXPENSES

20-15.01 The Board shall establish a Schedule of Fees, charges, and expenses as well as a collection procedure for Building Permits, Amendments, Appeals, Variances, Special Use Permits, plan approvals, and other matters pertaining to the administration and enforcement of this Ordinance, including required investigations, inspections, legal advertising, postage, and other expenses. The Schedule of Fees shall be posted in the office of the Administrator. Building Permit Fees shall be posted in the Building Official's Office. The Schedule of Fees may be altered or amended only by the Board. Action shall not be taken concerning an application or an Appeal unless all applicable fees, charges, and expenses have been paid in full.