

ARTICLE VIII

ENFORCEMENT

801. Enforcing Officer. The provisions of this resolution shall be administered and enforced by the County Planning director or Designee. This official shall have the right to enter upon any premises necessary to carry out his duties in the enforcement of this resolution, and in addition shall:

- 801.1. Issue all building permits and make and maintain records thereof;
- 801.2. Issue all certificates of occupancy and make and maintain records thereof;
- 801.3. Where applicable, issue and review all temporary use permits and make and maintain records thereof;
- 801.4. Maintain and keep current zoning maps, and records of amendments thereto;
- 801.5. Conduct inspections as prescribed by this resolution, and such other inspections as are necessary to ensure compliance with the various provisions of this resolution generally.

802. Building Permit Required. It shall be unlawful to commence the excavation for or the construction of any building including accessory buildings, or to commence the moving or alteration of any building, including accessory buildings, until the Planning director or designee has issued for such work a building permit including a statement that the plans, specifications, and intended use of such building in all respects conform with the provisions of this resolution. Application for a building permit shall be made to the Planning director. However, no building permit shall be required and there shall be no regulation of the erection, construction, or reconstruction of any building, or other structure on lands now devoted to agriculture uses or which may hereafter be used for agriculture purposes. Nor shall this resolution be construed as limiting or affecting in any way or controlling the agriculture uses of land.

- 802.1 Commencement of work prior to issuance of permit; penalty.
Any person who commences work requiring a permit under this Resolution before obtaining the necessary building permit shall be subject to a penalty of one hundred (100%) percent of the usual permit fee in addition to the required permit fee unless such person can demonstrate to the satisfaction of the Planning director or Designee: (1) that the work was occasioned by a sudden emergency, (2) that reasonable effort was made by such person to obtain the required permit prior to commencement of work, (3) the required permit could not be obtained prior to commencement of work because county offices were closed or otherwise unavailable, and (4) that such person did obtain the required permit at the earliest reasonable opportunity thereafter.

803. Issuance of Building Permit. In applying to the Planning director or designee for a building permit, the applicant shall submit a dimensioned sketch or scale plan indicating the shape, size, height, and location of all buildings to be erected, altered or moved, and any building on the lot subject to the discretion of the issuing building official. The applicant may be required to provide at the time of application written proof for the approval of a Subsurface Sewage System or approval to connect to the public sewer system, or any other information that may be required by staff. He shall also state the existing and intended use of all such buildings and supply such other information as may be required by the Planning director or designee for determining whether the provisions of this resolution are being observed. If the proposed excavation or constructions as set forth in the application are in conformity with the provisions of this resolution, the Planning director or Designee shall issue a building permit for such excavation or construction. If a building permit is refused, the Planning director or Designee shall state such refusal in writing with cause. Building permits are valid for the duration of the project, provided construction begins within six (6) months of obtaining the permit. If work is abandoned for more than six continuous months, the permit will expire and new permits must be obtained to continue work.
(Amended 07/05)

804. Certificate of Occupancy. Upon the completion of the construction or alteration of a building or structure for which a building permit has been granted, written application shall be made to the Planning director or Designee for a certificate of occupancy. Within three working days of such application, the Planning director or Designee shall make a final inspection of the property in question, and shall issue a certificate of occupancy if the building or structure is found to conform to the provisions of this resolution and the statements made in the application for the building permit. If such a certificate is refused, the Planning director or Designee shall state such refusal in writing, with the cause. No land or building hereafter erected or altered in its use, shall be used until such a certificate of occupancy has been granted.

805. Penalties. Any person violating any provision of the Washington County Zoning Resolution shall be guilty of a misdemeanor as set forth and described by statutes of the State of Tennessee, and in addition to any criminal proceedings appropriately brought, any person violating any provision of the Washington County Zoning Resolution shall be subjected to a civil penalty not to exceed Five Hundred Dollars (\$500.00) for each violation of said Zoning Resolution. Each day a violation continues to exist **shall constitute a separate violation.**

806. Remedies. In case any building or structure is erected, constructed, reconstructed, repaired, converted or maintained, or any building, structure or land is used in violation of this resolution, the Planning director or Designee or any other appropriate authority or any adjacent or neighboring property owner who would be damaged by such violation, in addition to other remedies may institute injunction, mandamus or other appropriate action in proceeding to prevent the occupancy or use of such building.

807. Washington County Planning Commission. The Washington County Planning Commission, for the purpose of this resolution shall be referred to as the planning commission. The planning commission shall:

- 807.1. Establish such rules of procedure as are necessary to the performance of its functions hereunder;
- 807.2. Review and decide all applications for uses permitted on review in accordance with this resolution;
- 807.3. Study and report to the Washington County Board of Commissioners on all proposed amendments to this resolution; further, review this resolution periodically and on the basis of such review, suggest amendments thereto.