

**ARTICLE 1345**  
**Enforcement**

|                |                                  |                |                                 |
|----------------|----------------------------------|----------------|---------------------------------|
| <b>1345.01</b> | <b>Enforcement officer.</b>      | <b>1345.04</b> | <b>Violations.</b>              |
| <b>1345.02</b> | <b>Plans.</b>                    | <b>1345.05</b> | <b>Legal actions.</b>           |
| <b>1345.03</b> | <b>Certificate of occupancy.</b> | <b>1345.06</b> | <b>Existing uses safeguard.</b> |

**CROSS REFERENCES**

Enforcement - see W.Va. Code 8-24-66  
Injunction - see W.Va. Code 8-24-67  
Penalty - see W.Va. Code 8-24-68

**1345.01 ENFORCEMENT OFFICER.**

It shall be the duty of the person designated as the Zoning Inspector, with the aid of the Police Department, to enforce this Zoning Ordinance in accordance with the administrative provisions of the Building Code, if any, and this Zoning Ordinance.

(Passed 2-14-78)

**1345.02 PLANS.**

Every application for a building permit or certificate of occupancy shall be accompanied by plans in duplicate, based on a survey and drawn to scale in ink or blue-print, showing the actual shape and dimensions of the lot to be built upon, the exact location, size, and height of the building or structure to be erected or altered, the existing and intended use of each building or part, the proposed number of families or housekeeping units, and such other information with regard to the lot and neighboring lots as may be necessary for the enforcement of this Zoning Ordinance. One copy of such plans shall be returned to the applicant when approved by the Zoning Inspector together with such permit or certificate as may be granted.

(Passed 2-14-78)

**1345.03 CERTIFICATE OF OCCUPANCY.**

Before using any building or premises or part thereof hereafter created, erected, changed, converted, or enlarged in use or structure, a certificate of occupancy shall be obtained from the Zoning Inspector. Such certificate shall show that such building or premises, or part thereof, and the proposed use thereof conform to the provisions of this Zoning Ordinance.

(Passed 2-14-78)

**1345.05 LEGAL ACTIONS.**

Any person, firm or corporation who violated, disobeys, omits, neglects, or refuses to comply with any of the provisions of this Zoning Ordinance shall, upon conviction, be fined not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00) for each offense. Each day that a violation continues shall constitute a separate offense.

(Passed 2-14-78; 7-23-91)

**1345.06 EXISTING USES SAFEGUARD.**

(a) Nothing contained in this Zoning Ordinance shall prohibit the continuance of the use of any land, building or structure for the purpose for which such land, building or structure is used at the time such ordinance or ordinances take effect, but any alteration or addition to any land or any alteration, addition or replacement of or to any existing building or structure for the purpose of carrying on any use prohibited under the zoning rules and regulations applicable to the district may be prohibited; provided, that no such prohibition shall apply to alterations or additions to buildings or structures by any farm, industry or manufacturing, or the use of land presently owned by any farm, industry or manufacturer but not used for agricultural, industrial or manufacturing purposes, or to the use or acquisition of additional land which may be required for the protection, continuing or expansion of any agricultural, industrial or manufacturing operation or any present or future satellite agricultural, industrial or manufacturing use. If a nonconforming use has been abandoned, any future use of such land, building or structure shall be in conformity with the provisions of the ordinance regulating the use in the district in which such land, building or structure may be located; provided, however, that abandonment of any particular agricultural, industrial or manufacturing process shall not be construed as abandonment of agricultural, industrial or manufacturing use.

(b) Nothing contained in this article shall be deemed to authorize an ordinance, rule and regulation which would prevent, outside of urban areas, the complete use and alienation of any timber and any and all minerals, including coal, oil and gas, by the owner or a licensee thereof. For the purpose of this section, urban area shall include all lands or lots within the jurisdiction of a Municipal Planning Commission as defined in this article.

(Passed 2-14-78)