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**Section 300 Administrative Official**

An Administrative Official, designated by the Triple S Planning Commission, shall administer and enforce these Regulations. The Administrative Official may be provided with the assistance of such other persons as the Planning Commission may direct.

If the Administrative Official shall find that any of the provisions of this ordinance are being violated, the Administrative Official shall take such action as is permitted by law.

In addition to the foregoing, the Administrative Official shall have the authority to order discontinuance of illegal use of land, buildings, structures, signs, or additions, alterations, or structural changes thereto, and discontinuance of any illegal work being done.

If the Administrative Official finds any provisions of the Ordinance being violated, the person or persons responsible for such violation shall be notified by the Administrative Official through certified mail with return of receipt requested.

All questions of interpretation and enforcement shall be first presented to the Administrative Official, and that such questions shall be presented to the Board of Adjustment only on appeal from the decision of the Administrative Official, and that recourse from the decisions of the Board of Adjustment shall be to the courts, as provided by the Kentucky Revised Statutes.

Interference with the Administrative Official's performance of his/her duties as defined herein is deemed a violation of these Regulations.

**Section 310 Zoning Permits**

Zoning permits shall be issued in accordance with the following provisions:

- A. Zoning Permit Required: No building or other structure shall be erected, moved, added to, or structurally altered, or changed from one permitted use to another, nor shall any grading take place on any lot or parcel of ground without a zoning permit, therefore, issued by the Administrative Official except as specified in Section 315 of these Regulations. No zoning permit shall be issued by the Administrative Official except in conformity with the provisions of these regulations, except after written orders from the Board of Adjustment.
  - 1. Construction and Use: To be as provided in applications, plans, permits, zoning permits and building permits, issued on the basis of plans and applications, approved by the Administrative Official and/or building inspector, authorize only the use, arrangement, and construction set forth in such approved plans and applications, and

no other use, arrangement, or construction. Use, arrangement, or construction at variance with that authorized shall be deemed in violation of this ordinance and punishable as provided in Section 360 of this ordinance.

### **Section 315 Exceptions**

No zoning permit shall be required in the following cases:

- A. Recurring maintenance work regardless of cost.
- B. Construction or alteration of agricultural structures when they are three hundred (300) feet or more from the nearest property line.

### **Section 320 Procedure**

- A. Application for Zoning Permits: All applications for zoning permits shall be accompanied by:
  - 1. A complete application form provided by the Administrative Official.
  - 2. The required fee for a zoning permit.
  - 3. An approved Development Plan, if required by this ordinance, or
  - 4. A site plan drawn at a scale of not less than one (1) inch to one hundred (100) feet, showing the following information as required by this ordinance.
    - a. Vicinity map of the site.
    - b. North arrow and scale.
    - c. Location of all existing and proposed streets, including rights-of-way and pavement widths.
    - d. Lengths and bearings of all property lines.
    - e. Total lot area (square feet and acres).
    - f. Setbacks from property lines indicated by labeled setback lines or dimensioned arrows (drawn square to the lot lines) from the lot lines to the nearest point of the buildings and/or structures.
    - g. Outlines of existing and proposed buildings and structures, including dimensions and height, and the number, size (ground floor area and total floor area), and type of buildings or structures.
    - h. Distance between buildings (on site only).
    - i. Location, dimensions and spacing of all access points, driveways, off-street parking spaces.
    - j. Flood plain boundaries or disclaimer statement. Disclaimer statement must include the panel number of the Flood Insurance Rate Map (FIRM).
    - k. Zoning of the subject property and adjacent lands.
    - l. All sidewalks and walkways (existing or proposed).

Dwelling units require the site plan to be drawn by a licensed surveyor, engineer or architect.

  - 5. Architectural Plans.
  - 6. Entrance encroachment permit.
  - 7. Septic or sewer permit.
  - 8. Address application.
- B. Issuance of Zoning Permit: If the proposed construction or alteration conforms with all applicable ordinances, regulations and codes, the Administrative Official shall issue a zoning permit authorizing such construction or alteration. If proposed construction or alteration fails to conform the Administrative Official shall refuse to issue a zoning permit and shall cause delivery of written notice to the applicant stating the reasons for refusal. The Administrative Official shall act upon applications for zoning permits within two (2) weeks from the date of their submission.
- C. Restraint of Construction Without Permit: If no zoning permit has been issued and a

builder begins or continues to build, a restraining order may be obtained upon application to the proper court of record. Evidence of the lack of a zoning permit shall establish a prima facie case for the issuance of the restraining order.

- D. Validity: The issuance of a zoning permit shall not waive any provisions of this regulation.
- E. Failure to Comply: Failure to obtain a zoning permit shall be a violation of this ordinance and punishable under Section 360.

### **Section 330 Expiration of Zoning Permit**

If the work described in any zoning permit has not begun within one (1) year from the date of issuance thereof, said permit shall expire; it shall be canceled by the Administrative Official; and written notice thereof shall be given to the persons affected.

If the work described in any zoning permit has not been substantially completed within two (2) years of the date of issuance thereof, said permit shall expire and be canceled by the Administrative Official, and written notice thereof shall be given to the persons affected, together with notice that further work as described in the canceled permit shall not proceed unless and until a new zoning permit has been obtained.

### **Section 340 Enforcement by Commission**

The Planning Commission may bring action for all appropriate relief including injunctions against any person or entity who violates the provisions of these Regulations.

### **Section 350 Enforcement**

- A. Correction Period: All violations of these Regulations shall be corrected within a period of thirty (30) days after the order to correct is issued by the Administrative Official. A violation not corrected within the allowed time for correction shall be reported to a citation officer who shall initiate enforcement procedures set forth in §22.900, et. Seq. Ordinances of the City of Shelbyville: Code Enforcement Ordinance, in conformity with KRS 65.800, et. Seq.
- B. Violation a Civil Offense: Every person, corporation, or firm who violates, disobeys, omits, neglects, or refuses to comply with any provision of these Regulations or any permit, license, or exception granted hereunder, or any lawful order of the Administrative Official, the Board of Zoning Adjustment, the Planning Commission, the City Council, or the Fiscal Court issued in pursuance of these Regulations shall be deemed to have committed a Civil Offense, in conformity with KRS 65.8800, et. seq.
- C. Remedies: In addition to the remedies herein described, the Administrative Official, the Board of Zoning Adjustment, the Planning Commission, the City Council, the Fiscal Court, or any interested party may institute an injunction, mandamus, abatement or other appropriate proceedings to prevent, enjoin, abate, or remove any violation of these Regulations.

### **Section 360 Penalties**

Except as provided in Section 960 of Article IX, violations of the provisions of these Regulations or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances or special exceptions) shall constitute a civil offense. Any person(s) who is cited for violating these Regulations or fails to comply with any of its requirements shall be fined a minimum of two-hundred dollars (\$200) or a maximum of five hundred dollars (\$500), and in addition shall pay all costs and expenses involved in the case. Provided, however, any person who receives a Code Enforcement citation of

violation may elect not to contest that citation by paying the fine specified on the citation prior to the hearing date set-out on the citation. Each day such violation continues shall be considered a separate offense.

The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

Nothing herein contained shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violation.

### **Section 370 Fee Schedule**

The legislative bodies adopting these Regulations do hereby grant the Planning Commission and Board of Adjustment the power to establish a reasonable schedule of fees, charges, and expenses and a collection procedure for certificate of zoning compliance, appeals, application for amendments, and other matters pertaining to these Regulations. The schedule of fees shall be posted in the office of the Administrative Official, and may be altered or amended as the Planning Commission and/or Board of Adjustment see fit.

Until all applicable fee, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

### **Section 380 Complaints Regarding Violations**

Whenever a violation of these Regulations occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis thereof shall be filed with the Administrative Official. He shall record properly such complaint, immediately investigate, and take action thereon as provided by these Regulations.