

# PUBLIC HEARING INFORMATION

## PETITION #16-003

**HEARING DATE:** June 15, 2016.

**BACKGROUND:** In the course of administering and enforcing the Zoning Ordinance the Village staff identifies conflicts, omissions and opportunities for improving the zoning regulations. The proposed change is described in more detail below.

**REQUEST:** The Community Development Department proposes to amend the penalty regulations to provide more discretion in the application of fines for zoning variations.

*Proposed amendment is intended to give the Community Development Director more discretion in assessing fines for zoning violations, particularly violations by willful violators. Depending on the violation, the community is forced to bear with a zoning violation while the violator is assessed a relatively minor penalty.*

### 11-13-15: ENFORCEMENT AND PENALTIES

- A. Any person who violates, disobeys, omits, neglects or refuses to comply with, or who resists the enforcement of any of the provisions of this title shall ~~upon conviction, be fined not less than twenty five dollars (\$25.00), nor be liable for a fine of not less than a minimum amount to be determined by the Director of Community Development based upon the facts and circumstances surrounding each occurrence~~ and no more than seven hundred fifty dollars (\$750.00) for each offense.
- B. A separate offense shall be deemed committed for each day a violation is permitted to exist after notification thereof.
- C. In the event that any building or structure is erected, constructed, altered, repaired, converted or maintained, or any building, structure, or land is used in violation of this zoning ordinance, the village attorney, in addition to other remedies, may institute any proper action or proceedings in the name of the village to:
  1. Prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use.
  2. Restrain, correct or abate such violation.
  3. Prevent the occupancy of said building, structure, or land.
  4. Prevent any illegal act, conduct, business or use in, or about, said premises.
  5. Collect reasonable attorney fees and court costs. (Ord. 2002-01-15B, 1-15-2002)

---

**Be advised, any or all of the proposed amendments may be modified by the Plan Commission or Village Board before adoption.**