

§ 150.18 ADMINISTRATION.

(A) *Zoning administration.* This chapter shall be administered and enforced by the Zoning Administrator who is appointed by the City Council. The Zoning Administrator may institute, in the name of the city, any appropriate actions or proceedings against a violator as provided by statute, charter or ordinance.

(B) *Planning Commission.* The Planning Commission membership is appointed by the City Council. The duties include:

- (1) Engage in land use planning activities;
- (2) Prepare and recommend ordinances and amendments based on the planning;
- (3) Review and recommend on requests for amendments to ordinances and conditional use permits; and
- (4) Hold public hearings on the above.

(C) *Zoning permits.* Unless specifically exempted herein, zoning permits will be required for new structures, moved structures, outside dimensional alterations to structures, sewage systems, fences and certain cutting/fill as regulated by the Shoreland Section. Zoning permits will not be required for residing, reshingling, interior changes that do not affect the outside dimension of the structure or at grade walks, patios or driveways that don't violate lot coverage by impervious surface standards.

(D) *Application.* Application for a zoning permit shall be filed with the Zoning Administrator and within ten days a permit will be issued or delayed with reason stated. If the reason(s) for non-issuance can be mitigated by reconfiguration, variance, conditional use or amendment, the original application can continue. The application will be accompanied by a property description, site map and description of proposal. A fee will be established by the City Council by resolution.

(E) *Violations.* Any person who violates any of the provisions of this chapter shall, upon conviction thereof, be fined not more than the maximum penalty for misdemeanor prescribed under state law. Each day that a violation is permitted to exist shall constitute a separate offense.

(F) *Deadlines for city action regarding applications for variances, amendments, rezonings, and appeals.* When all application requirements have been complied with and the request is considered as officially submitted, the city must, except as otherwise provided herein and notwithstanding any other law to the contrary, approve or deny within 60 days. Failure to do so results in automatic approval of the request. A denial must include a written reason.

(1) In requesting additional information from the applicant, the city must do so in writing, within ten business days of the original application (or follow-up submittals) in order to start the 60-day limit over.

(2) If an action requires the approval of more than one state agency in the executive branch, the 60-day period begins to run for all executive branch agencies on the day a request containing all required information is received by one state agency. The agency receiving the request must forward copies to other state agencies whose approval is required.

(3) The time limit is extended if a state statute, federal law, or court order requires a process to occur before the agency acts on the request, and the time periods prescribed in the state statute,

federal law, or court order make it impossible to act on the request within 60 days. In cases described in this paragraph, the deadline is extended to 60 days after completion of the last process required in the applicable statute, law, or order. Final approval of an agency receiving a request is not considered a process for purposes of this paragraph.

(4) The time limit is extended if:

(a) A request submitted to a state agency requires prior approval of a federal agency; or

(b) An application submitted to a city, county, town, school district, metropolitan, or regional entity, or other political subdivision requires prior approval of a state or federal agency. In cases described in this paragraph, the deadline for action is extended to 60 days after the required prior approval is granted.

(5) The city may extend the timeline before the end of the initial 60-day period by providing written notice of the extension to the applicant. The notification must state the reasons for the extension and its anticipated length, which may not exceed 60 days unless approved by the applicant.
(Ord. passed 6-3-1997)