

## **12. ADMINISTRATION**

### **A. PERMITS AND CERTIFICATES**

In addition to other certificates and permits authorized elsewhere in this or other City ordinances, the following certificates and permits are hereby established.

#### **1. BUILDING PERMIT**

It shall be unlawful to commence the construction, alteration, or repair of any structure in the City without obtaining a Building Permit from the City as provided in the City Building Code.

#### **2. ZONING CERTIFICATE**

No Building Permit shall be issued by the City unless the Zoning Administrator has certified on a Zoning Certificate that the plans for the property for which the Permit is sought comply with all applicable provisions of this Ordinance and with other applicable codes and ordinances of the City.

#### **3. CERTIFICATE OF OCCUPANCY**

It shall be unlawful to occupy or use any structure, land, water, or premises in the City, or change the occupancy or use thereof, in whole or in part, without obtaining a Certificate of Occupancy from the City.

The Zoning Administrator shall issue no Certificate of Occupancy for a new or remodeled premises unless he or she has inspected or caused to be inspected the premises after completion of all construction and has certified that the premises is in conformity with the plans on which the Building Permit was based. He or she shall likewise issue no Certificate of Occupancy for a change of occupancy without certifying that the proposed occupancy will be in conformance with all applicable regulations herein.

The following shall be exempt from the requirement for a Certificate of Occupancy:

1. Land used for agricultural cultivation.
2. Residential buildings in which there is a change of occupancy that does not involve a change to a different Permitted or Special Use.

A temporary Certificate of Occupancy for a period not to exceed 6 months may be issued, consistent with the safety of the occupants, for occupancy or partial occupancy pending completion of construction or alterations.

The Zoning Administrator shall either issue or deny a Certificate of Occupancy within 14 days of application therefor. The Administrator shall advise the applicant in writing of the reasons for any denial. A Certificate for a property that is nonconforming shall specify the nature of the nonconformity.

## **B. VIOLATION, PENALTY, AND ENFORCEMENT**

The Zoning Administrator is hereby designated and authorized to enforce this Ordinance. Upon determining a violation, he or she shall direct the property owner in writing to eliminate the violation within 10 days. Any party that violates any provision of this Ordinance shall upon conviction be fined not less than 50 nor more than 500 dollars for each offense. Each day or portion thereof that a violation exists shall constitute a separate offense.

## **C. PLAN COMMISSION**

### **1. AUTHORITY**

The Plan Commission of the City of Warrenville is the Plan Commission referred to herein.

The Plan Commission is hereby vested with the power and responsibility to:

- a. Prepare and recommend to the City Council a Comprehensive Plan, any additional plans for the development and redevelopment of the City, changes to any City plan, and proposals to carry out such plans
- b. Conduct hearings and make either final determinations on, or advisory recommendations to the City Council on, approval, conditional approval, or denial of applications as provided in Tables 2C and 2D and other provisions herein
- c. File an Annual Report with the Mayor and City Council setting forth its transactions and recommendations
- d. Adopt by-laws and any other procedural rules consistent with this and other City ordinances and state statutes
- e. Recommend to the City Council the employment of such professional planning, legal, engineering, or administrative staff or consulting assistance as is necessary to fulfill its responsibilities
- f. Advise the Zoning Board of Appeals on plan provisions and other planning factors related to the Board's review of zoning petitions
- g. Carry out any other function concerning land subdivision or other matters that may be conferred upon it by the City Subdivision Regulations or any other City ordinance or state statute, and discharge any other duties referred or assigned to it by the City Council

The concurring vote of five members of the Commission shall be required to take any action.

### **2. APPOINTMENTS**

- a. The Plan Commission shall consist of nine (9) members which may include up to three members from the same ward; provided that each ward of the City shall be represented by at least one member, and one member shall be from the unincorporated area

contiguous to the City. At no time shall more than three members of the Plan Commission be residents of the same ward. The Mayor shall be an ex-officio member of the Plan Commission for the term of his/her elected office. (Ord. 1906, 4-18-01) (Ord. 2233, 8-3-05)

- b. The Mayor shall, with the advice and consent of the City Council:
  - (1) appoint all members;
  - (2) appoint a new member to fill the unexpired term of any member whose place has become vacant; and
  - (3) appoint the Chairman of the Commission.
- c. All members of the Commission shall serve without compensation except that, if the City Council deems it advisable, the secretary may receive such compensation as may be fixed from time to time by the City Council and provided for in the appropriation ordinance.
- d. The Mayor, with the consent of the City Council, shall have the power to remove any member for cause after a public hearing. A copy of the charges against said member shall be delivered to the member at least ten (10) days prior to the hearing. The member shall be given an opportunity to answer such charges.
- e. The members shall annually elect a member to serve as a Vice Chairman, who shall serve as Acting Chairman in the Chairman's absence.
- f. The members shall serve respectively for the following terms: two (2) members shall serve for one (1) year; two (2) members shall serve for two (2) years; two (2) members shall serve for three (3) years; two (2) members shall serve for four (4) years; and one (1) member shall serve for five (5) years. All successors to the original members shall be appointed for a term of five (5) years.
- g. Notwithstanding the provisions of Subsection C.2.f., in the event that a Plan Commission member is also appointed as a member of the Zoning Board of Appeals, upon the appointment or re-appointment, of such Plan Commission member, said commissioner's term shall coincide with the corresponding vacant term on the Zoning Board of Appeals so that the Plan Commission member's term of office to the Plan Commission shall expire at the same time as his/her term of office to the Zoning Board of Appeals.

### **3. MEETINGS**

All meetings shall be held at the call of the Chairman and at such other times as the Commission shall determine and shall be open to the public except when an executive session is authorized by law. No meeting shall be conducted in the absence of a quorum, which shall consist of five members.

The Commission shall keep minutes of its proceedings. The minutes shall show the vote, or absence or abstention, of every member upon every official action, and shall be a public record on file in the office of the Zoning Administrator.

## **D. ZONING BOARD OF APPEALS**

### **1. AUTHORITY**

The Zoning Board of Appeals of the City of Warrenville is the Zoning Board of Appeals referred to herein.

# **ADMINISTRATION**

## *City of Warrenville Zoning Ordinance*

The Zoning Board of Appeals is hereby vested with the power and responsibility to:

- a. Conduct hearings and make either final determinations on, or advisory recommendations to the City Council on, the approval, conditional approval, or denial of applications as provided in Tables 2C and 2D and other provisions herein.
- b. File an Annual Report with the Mayor and City Council setting forth its transactions and recommendations
- c. Adopt by-laws and any other procedural rules consistent with this and other City ordinances and state statutes
- d. Recommend to the City Council the employment of such professional zoning, legal, engineering, or administrative staff or consulting assistance as is necessary to fulfill its responsibilities
- e. Carry out any other function that may be conferred upon it by any other City ordinance or state statute and discharge any other duties referred or assigned to it by the City Council.

The concurring vote of 4 members of the Zoning Board of Appeals shall be required to take any action.

## **2. APPOINTMENTS**

- a. The Board shall consist of seven (7) members, who shall all be residents of the City.
- b. The Mayor shall, with the advice and consent of the City Council:
  - (1) appoint all members;
  - (2) appoint a new member to fill the unexpired term of any member whose place has become vacant; and
  - (3) appoint the Chairman of the Board.
- c. All members of the Board shall serve without compensation.
- d. The Mayor shall, with the consent of the City Council, have the power to remove any member for cause after a public hearing. A copy of the charges against said member shall be delivered to the member at least ten (10) days prior to the hearing. The member shall be given an opportunity to answer such charges.
- e. The members shall annually elect a member to serve as a Vice Chairman, who shall serve as Acting Chairman in the Chairman's absence.
- f. The members shall serve respectively for the following terms: One (1) member shall serve for one (1) year; two (2) members shall serve for two (2) years; one (1) member shall serve for three (3) years; two (2) members shall serve for four (4) years; and one (1) member shall serve for five (5) years. All successors to the original members shall be appointed for a term of five (5) years.

## **3. MEETINGS**

All meetings of the Zoning Board of Appeals shall be held at the call of the Chairman and at such other times as the Board may determine and shall be open to the public except when an executive session is authorized by law. No meeting shall be conducted in the absence of a quorum, which shall consist of 4 members.

The Board shall keep minutes of its proceedings. The minutes shall show the vote, or absence or abstention, of every member upon every official action and shall be a public record on file in the office of the Zoning Administrator.

## **E. ZONING ADMINISTRATOR**

The Zoning Administrator of the City shall be such person as the Mayor, with the advice and consent of the City Council, may appoint.

The Zoning Administrator shall be charged with the enforcement of this Ordinance. In discharging this responsibility, he or she or his or her designee shall:

1. issue Zoning Certificates, Certificates of Occupancy, Conditional Use Permits, Special Use Permits, and Temporary Use Permits
2. conduct inspections of uses to determine compliance with this Ordinance
3. notify in writing any party believed to be responsible for violating a provision of this Ordinance and order action within 10 days to correct the violation
4. require that construction work in violation of this Ordinance be stopped
5. prepare and cause to be published on or before March 31 of each year a Zoning District Map as amended through the preceding December 31
6. receive, determine completeness and compliance with this and other applicable ordinances of, and forward to the Plan Commission or Zoning Board of Appeals as appropriate all applications and notices required by this Ordinance and determined to be in compliance therewith
7. maintain records of applications filed, public hearings held, permits and certificates issued, inspections made, reports rendered, and notices or orders issued under the provisions of this Ordinance, and make such records available for public inspection
8. request the assistance and cooperation of other City officials, departments, boards, or commissions, or other agencies as necessary in the discharge of his or her duties
9. advise the City Attorney of violations and other matters requiring legal action and be entitled to rely on his or her opinion as to the interpretation or legal application of this Ordinance
10. procure such engineering, planning, or legal assistance from technical experts outside the City government as may be necessary to discharge his or her duties and as is authorized by the City Council
11. discharge such other duties as may be placed on him or her by this Ordinance or by the Mayor or City Council.