

ARTICLE 15

ADMINISTRATION, ENFORCEMENT AND REVIEW

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Section 15.1 Administrative Official

The Town Administrator of the Town of Belville shall administer and enforce this ordinance except as otherwise provided herein. Appeal from a decision of the Town Clerk may be made to the Belville Board of Commissioners.

Section 15.2 Building Permit Required

1. Before commencing the construction, erection, repair, alteration, addition to, or moving of any building or structure or part thereof or before commencing any excavation for such building or structure, or before erecting any sign (except where specifically authorized by this ordinance), a building permit for the same shall be obtained from the Building Inspector.
2. Before commencing the removal or demolition of any building or structure, a building permit authorizing said demolition shall be obtained from the Building Inspector.

Section 15.3 Certificate of Compliance (Certificate of Occupancy) Required

It shall be unlawful to change or commence the use of any building or land, until a Certificate of Compliance (Certificate of Occupancy) shall have been issued by the Building Inspector or authorized representative stating that the building and/or proposed use complies with the provisions of this ordinance and all applicable codes of the Town of Belville and the State of North Carolina.

Section 15.4 Complaints Regarding Violations

Whenever the Town Administrator or Zoning Code Administrator receives a complaint alleging a violation of this ordinance, he shall investigate the complaint and take action in accordance with the procedures.

Section 15.5 Persons Liable

The owner, tenant, or occupant of any building or land or part thereof and any architect, builder, contractor, agent or other person who participates in, assists, directs, creates, or maintains any situation that is contrary to the requirements of this ordinance may be held responsible for the violation and suffer the penalties and be subject to the remedies herein provided.

Section 15.6 Procedures Upon Discovery of Violations

1. If the Zoning Code Administrator finds that any provision of this ordinance is being violated, he shall send a written notice to the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. Additional written notices may be sent at the Zoning Code Administrator's discretion.
2. The final written notice (and the initial written notice may be the final notice) shall state what action the Zoning Code Administrator intends to take if the violation is not corrected and shall advise that the decision or order may be appealed to the Belville Board of Commissioners.
3. Notwithstanding the foregoing, in cases when delay would seriously threaten the effective enforcement of this ordinance or pose a danger to the public health, safety, or welfare, the Zoning Code Administrator may seek enforcement without prior written notice by invoking any of the penalties or remedies authorized.

Section 15.7 Penalties and Remedies for Violations

1. Violations of the provisions of this ordinance or failure to comply with any of its requirements, including violations of any conditions and safeguards established in connection with grants of variances, or Conditional Use Permits, or Non-Conforming Use Permits, shall constitute a misdemeanor, which may be prosecuted in accordance with General Statute 160A- 175.
2. Any act constituting a violation of the provisions of this ordinance or a failure to comply with any of its requirements, including violations of any conditions and safeguards established in connection with the grants of variances, or Special Use Permits, or Non-Conforming Use Permits, shall also subject the offender to a civil penalty in an amount not to exceed fifty dollars (\$50.00) per day per offense. If the offender fails to pay this penalty within seventy-two (72) hours after being cited for a violation, the penalty may be recovered by the Town in a civil action in the nature of debt. A civil penalty may not be appealed to the Belville Board of Commissioners if the offender was sent a final notice of violation and did not make an appeal to the Belville Board of Commissioners within the prescribed time of ten (10) days.
3. This ordinance may also be enforced by any appropriate equitable action.

4. Each day that any violation continues after notification by the Zoning Code Administrator that such violation exists shall be considered a separate offense for purposes of the penalties and remedies specified in this section.
5. Any one, all, or any combination of the foregoing penalties and remedies may be used to enforce this ordinance.