

ARTICLE III -- ADMINISTRATION

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ARTICLE III -- ADMINISTRATION

Section 3.00 SALEM TOWNSHIP ZONING ADMINISTRATOR:

The zoning Administrator appointed by Salem Township shall have the power and duty to administer and enforce this ordinance. The Zoning Administrator may designate employees to administer and enforce this ordinance.

Section 3.02 SALEM TOWNSHIP ZONING ADMINISTRATOR, SPECIFIC POWERS AND DUTIES:

The Salem Township Zoning Administrator shall have the following powers and duties in addition to any others he may now have or hereafter be given. The Salem Township Zoning Administrator shall:

- A. Enforce and administer this ordinance;
- B. Issue zoning certificates and any other permits as required by the terms of this ordinance;
- C. Conduct inspections of the use of buildings and land to determine compliance with the terms of this ordinance;
- D. Maintain permanent and current records of this ordinance, including but not limited to all maps, amendments, and conditional uses, variances, appeals and applications therefore;
- E. Receive, publish legal notices, research and report upon all applications for appeals, variances, conditional uses, amendments, and other matters to the designated official bodies;
- F. Assist the Salem Town Board, Township Planning Commission and Salem Township Board of Adjustment upon matters of land use development and regulations;
- G. Institute in the name of Salem Township, any appropriate actions or proceedings against a violator;
- H. Coordinate with other townships and with Olmsted County for efficient administration of zoning regulations concerns.

Section 3.04 COMPLIANCE REQUIRED:

It shall be the duty of all property owners, architects, contractors, subcontractors, builders and other persons involved in the use of property, the erecting, altering, changing or remodeling of

any building or structure, including tents and mobile homes, before beginning or undertaking any such use or work, to see that such work does not conflict with and is not in violation of the provisions of this ordinance; and any such property owner, architect, builder, contractor or other person using property, or doing or performing any such work and in violation of the provisions of this ordinance shall be held accountable for such violation.

Section 3.06 ZONING CERTIFICATE:

It shall be unlawful to use, occupy or permit the use or occupancy of any building or premises or part thereof, hereafter, created, erected, changed, converted, altered, or enlarged in its use or structure until a zoning certificate shall have been issued by the Salem Township Zoning Administrator stating that the use of the building or land conforms to the requirements of this ordinance. Where a non-conforming use or structure is extended or substantially altered, the zoning certificate shall specifically state the manner in which the non-conforming structure or use differs from the provisions of this ordinance.

Section 3.08 VIOLATIONS:

Any property, building or structure being used, erected, constructed, or reconstructed, altered, repaired, converted or maintained in a manner not permitted by this ordinance shall be prohibited. The Salem Township Zoning Administration or others designated on behalf of Salem Township may institute appropriate actions or proceedings to prevent, restrain, correct or abate such violations or threatened violations. In addition, violations of this ordinance occurring in flood plain or shoreland areas will be forwarded to the Commissioner of the Department of Natural Resources.

Section 3.10 PENALTIES:

Any person, firm, corporation, or entity violating the provisions of this ordinance shall be guilty of a misdemeanor. Each day the violation is committed or permitted to exist shall constitute a separate offense. The imposition of any fine or sentence shall not exempt the offender from compliance with the requirements of this ordinance; and Salem Township may pursue, by appropriate actions or proceedings, any or all additional other remedies.

Section 3.12 RECORDS:

The Salem Township Zoning Administrator shall maintain a record of the elevation of the first floor (including basement) of all new structures or additions to existing structures in the FFA and FFB flood fringe districts. A record of the elevations and flood-proofing measures to which structures or additions are floodproofed shall also be maintained.

Section 3.14 SALEM TOWNSHIP BOARD OF ADJUSTMENT:

- A. The Salem Township Board of Adjustment is established in accordance with Minnesota Statutes Section 394.27 and as hereafter amended.

- B. The Salem Township Board of Adjustment shall consist of five (5) members, 4 appointed by the Town Board, and one member shall be a township supervisor.**
- C. Members of the Board of Adjustment shall be subject to removal, for cause, upon a majority vote by the Salem Town Board, after notice and opportunity for hearing before the board.**
- D. Members whose terms have expired shall continue to serve as members of the Board of Adjustment until their replacements have been appointed.**
- E. Meetings of the Board of Adjustment shall be held at the call of the Chairman and at such other times as the Board, in its rules of procedure, may specify. The Board of Adjustment shall elect a chairman and vice chairman from its members and shall appoint a secretary who need not be a member of the Board. It shall adopt rules for transaction of its business and shall keep a public record of its transactions, findings, and determinations. Staff services for the Board of Adjustment shall be furnished by the Township.**
- F. The Board of Adjustment shall act upon all questions as they may arise in the administration of this zoning ordinance; and it shall hear and decide appeals from, and review any order, requirement, decision, or determination made by an administrative official charged with enforcing this zoning ordinance. Such appeal may be taken by any person aggrieved or by any officer, department, board or bureau of a town, municipality, county or state. The appeal procedures are indicated in Section 4.06 of this zoning ordinance.**

The Board of Adjustment shall also have the authority to grant variances to the provisions of this zoning ordinance under certain conditions. The conditions and procedures for issuance of a variance are indicated in Section 4.08 of this zoning ordinance.

- G. Appeal from an adverse decision of the Board of Adjustment on variance applications or appeals shall be made to the Olmsted County District Court.**