

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.

No zoning certificate, building permit, conditional use permit, interim use permit, variance, temporary construction permit, or other land use approval shall be issued except in compliance with Section 3.05 of this Ordinance. Compliance with Section 3.05 shall remain a continuing condition of every permit or approval issued pursuant to this Ordinance.

3.05. Permit Administration and Continuing Compliance

A. Purpose: The purpose of this Section is to establish uniform administrative requirements governing the issuance and continued validity of permits and approvals authorized by this Ordinance. These requirements are intended to promote compliance with Township official controls and protect the public health, safety, and general welfare.

B. Applicability: This Section applies to every permit, approval, certificate, authorization, or other land use approval issued pursuant to this Ordinance, including but not limited to:

1. Zoning Amendments;
2. Conditional Use Permits;
3. Interim Use Permits;
4. Variances;
5. Temporary Construction Permits;
6. Zoning Certificates;
7. Building Permits; and
8. Any other permit or approval administered pursuant to this Ordinance.

C. Relationship to Other Official Controls.

1. The provisions of this Section supplement all other provisions of this Ordinance.
2. Where this Section imposes more restrictive requirements than another Township ordinance, the provisions of this Section shall govern to the extent authorized by law.
3. Nothing contained herein shall authorize any land use or development prohibited by federal law, Minnesota law, or applicable Olmsted County ordinance.
4. Where another applicable law or ordinance imposes more restrictive standards, the more restrictive standards shall govern.
5. The Township may impose conditions upon permits and approvals that are more restrictive than minimum County standards whenever authorized by law and determined

necessary to protect the public health, safety, welfare, natural resources, or the orderly development of the Township.

D. Permit Eligibility: No permit or approval shall be issued unless the Zoning Administrator, Planning Advisory Commission, Board of Adjustment, or Township Board, as applicable, determines that:

1. The application is complete.
2. All plans, surveys, engineering reports, exhibits, and other documents required by this Ordinance have been submitted.
3. The proposed use or development complies with this Ordinance and all applicable Township official controls.
4. The subject property is not subject to any unresolved Township zoning, land use, building, or code enforcement violation.
5. The subject property is not subject to any unresolved health or sanitation violation issued by a governmental agency having jurisdiction.
6. All Township application fees, permit fees, escrow deposits, review fees, inspection fees, engineering fees, legal fees, administrative costs, penalties, and other charges lawfully due and owing to the Township relating to the application or subject property have been paid.
7. The applicant is not in default under any development agreement, escrow agreement, reimbursement agreement, or other agreement with the Township relating to the subject property.
8. The applicant is in compliance with all conditions imposed under any previously issued Township permit or approval affecting the subject property.
9. No Township Stop Work Order affecting the property remains in effect.
10. No unresolved Township Notice of Violation affecting the property remains outstanding.

E. Continuing Compliance: All permits are issued subject to ongoing compliance with all Township official controls and all conditions of approval. Failure to maintain compliance with this Section constitutes grounds for suspension or revocation of the permit or approval.

F. Enforcement: Whenever the Township determines that a permit holder no longer complies with this Section, the Township may:

1. Deny the pending application;
2. Condition approval upon correction of identified deficiencies;
3. Suspend the permit or approval;
4. Revoke the permit or approval;
5. Issue a Stop Work Order;
6. Withhold issuance of additional Township permits or approvals affecting the property;
7. Require correction of any deficiency or violation as a condition precedent to issuance, reinstatement, or continuation of any permit or approval; and
8. Pursue any other remedy authorized by this Ordinance or applicable law.

G. Administration: This Section shall be administered by the Zoning Administrator, Planning Advisory Commission, Board of Adjustment, and Township Board according to the authority otherwise granted by this Ordinance.

F. Severability: If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is held invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

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 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.

Permits must be obtained from the Zoning Administrator to verify development meets the standards of the flood plain regulations of this ordinance prior to conducting any activities cited within this section and including these additional activities:

- A. The construction of a dam, on-site septic system;
- B. The repair of a structure that has been damaged by flood, fire, tornado, or any other source;
- C. The placement of fill, excavation, or storage of materials or equipment with the floodplain;
- D. Relocation or alteration of a watercourse (including replacement of culverts and bridges) unless a public waters permit has been applied for.

Prior to issuing a zoning certificate, the Zoning Administrator shall determine that the applicant satisfies the requirements of Section 3.05. Issuance of a zoning certificate constitutes a determination that the applicant met the eligibility requirements of Section 3.05 at the time of issuance. Compliance with Section 3.05 shall remain a continuing condition of the zoning certificate.
