

SECTION 2 - ADMINISTRATION AND ENFORCEMENT

2.1 DIRECTOR OF PLANNING

The Director of Planning designated by the County Board of Commissioners shall administer and enforce these regulations. He/she may be provided with the assistance of such other persons as the County Board of Commissioners may direct.

2.2 BUILDING PERMIT REQUIRED

It shall be unlawful to commence or do any excavating, erecting, constructing, reconstructing, enlarging, altering, or moving of any building or structure or to use or occupy or permit the use or occupancy of any building, land or premises, or construction or connection to water or sewer facilities part thereof hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure until a building permit shall have been issued therefore by the County Building Department stating that the proposed use of the building or land conforms to these regulations.

2.2.1 Farm buildings utilized for agricultural purposes on a farmstead of twenty acres or more which produces one thousand dollars or more of farm products each year are exempt from building permit requirements; however, farm buildings and structures must conform to all applicable provisions of these regulations. Dwellings shall require a building permit.

2.2.2 The Building Department may issue a temporary building permit for uses in any district for the purpose of uses and buildings incidental to and required in the construction of a principal permitted use in the district in which it is located, for highway construction, and in the event of an emergency as determined by the County Board of Commissioners, provided that such use be of a temporary nature, involve the use of a house trailer or similar transportable structure, and does not involve the erection of substantial buildings. Such permit shall be granted in the form of a temporary and revocable permit for not more than 12 months subject to such conditions as will safeguard the public health, safety, and general welfare.

2.3 ZONING COMPLIANCE APPROVAL

Prior to the application for a building permit or permits on a tract of land, the Owner shall submit to the Director of Planning the following to show that his/her plans conform to the requirements of these regulations as set forth herein:

2.3.1 A site plan and other drawings at a scale of not less than 1 inch equals 100 feet and calculations necessary to determine that the proposed development meets the requirements of the district in which the proposed development is located.

(A) The plans shall show the number and arrangement of buildings on the land, the building bulk and height, access drives, walks, parking areas, drainage, grading plan, utility distribution, recreation areas, open spaces, landscape development and, in general, the specific land use of the site.

2.3.2 The Director of Planning shall review the plans for compliance with these regulations and, if necessary, may require additional information such as typical building floor plans, building elevations, size and type of plant materials, pavement surfacing and other major site improvements.

2.3.3 After a review of the plans and necessary information, the Director of Planning shall, if he/she finds the proposal in conformity with these regulations, inform the owner that he/she may make application for a building permit.

2.3.4 Should the Director of Planning find the plans not conforming to these regulations, he/she shall so inform the owner, along with reasons for his/her decision.

2.4 APPLICATION FOR BUILDING PERMIT

Applications for permits shall; (1) be written on a form prescribed by the Building Department; (2) be filed with the Building Department; (3) be complete; (4) furnish the legal description of the property as of public record; (5) provide the name of the owner and the applicant; (6) describe the uses to be established or expanded; and, (7) furnish or provide such other information as may be required for the enforcement of these regulations. Each copy of the application shall be accompanied by a dimensional drawing or plan of the building plot, and a copy of a certified survey of the land showing the location of buildings and structures, lot areas to be used, grading plan, auto parking areas, service drives, roadways, and water supply and sewage disposal facilities. Such form shall provide for, and applicant shall furnish, brief plans and specifications and the estimated cost of any proposed construction, alteration, or repair. Such application shall be signed and acknowledged by the owner or by his/her agent in his/her behalf.

2.4.1 The Building Department shall issue a written permit or denial thereof, with reasons in writing, within 15 days from the date of the filing of the application. In the event the permit is not issued within 15 days, the applicant may appeal within the next 30 days directly to the Board of Adjustment which shall, after due notice and holding a public hearing, order the issuance of the permit or denial thereof with reasons in writing.

2.5 EXPIRATION OF PERMIT

Permits shall become null and void if no construction work has commenced within 180 days from date of issuance or if work has commenced then stopped for more than 180 days. Unless otherwise set forth in the permit, building permits shall expire if construction is not complete within one (1) year of issuance. A ninety (90) day extension may be obtained from the Planning and Building Department by written application. Upon expiration of a permit, a new permit will be required. Permits are issued for the express purpose of work stated on the application and shown on the approved plans. Any changes to the construction plans that effect area or scope of work shall be approved by the Planning and Building Department prior to construction and may require another permit application. No permit fee refunds are allowed if work has commenced or if work has not commenced and more than 180 days has elapsed after issuance date. Permits are granted on the express condition that the construction will comply in all respects with the zoning regulations of Sarpy County, Nebraska.

2.6 ENFORCEMENT BY DIRECTOR OF PLANNING

It shall be the duty of the Director of Planning to enforce these regulations in accordance with their provisions. All departments, officials, and public employees of Sarpy County, which are vested with the duty or authority to issue permits or licenses, shall conform to the provisions of these regulations and shall issue no permit or license for any use, building or purpose, if the same would be in conflict with the provisions of these regulations.

2.6.1 The erection, construction, reconstruction, alteration, conversion, maintenance, or use of any building, structure, water or sewer facility, automobile trailer, mobile home, or land in violation of these regulations is hereby declared to be a misdemeanor. Any person, partnership, association, club, or corporation erecting, constructing, reconstructing, altering, converting, or maintaining any building, structure, water or sewer facility, automobile trailer, mobile home, or land in violation of said sections or of any regulations of the County Board of Commissioners, or erecting, constructing, reconstructing, altering, or converting any structure without first having obtained a

permit therefore as by said sections provided, shall upon conviction be punishable as allowed by law. In addition to other remedies, the County Board of Commissioners may institute any appropriate action or proceeding to prevent such unlawful construction, erection, reconstruction, alteration, repair, conversion, maintenance, or use to restrain, correct, or abate such violation, to prevent the illegal act, conduct, business, or use in or about such premises.

2.7 FEES FOR PERMIT

Each applicant for a Building Permit shall pay to the County Planning and Building Department upon the presentation of such applications a fee based upon the cost of the proposed construction, alteration, or repairs, Said Building Permit Fee Schedule is on file in the Planning and Building Department's office, Sarpy County Courthouse, Papillion, Nebraska. Receipt for such fee shall be issued by the Planning and Building Department and record thereof kept by him/her for this purpose, which shall be open to public inspection for a period as may be required by law. When a permit fee is refunded, a portion of the fee paid by the applicant shall be retained by the County and the balance of the fee shall be refunded to said applicant. The portion of the fee retained by the County shall be established in the "Master Fee Schedule for the Planning and Building Department" as adopted by the County Board. At the end of each month the Planning and Building Department shall pay to the County Treasurer, for deposit in the General Fund, all fees received for which permits have been granted plus the minimum fees retained as above provided and all special, conditional, and temporary permit fees, and shall receive the Treasurer's receipt therefore.