

Chapter 17.60 – Administration and Enforcement

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17.60.010 Enforcing officer–Appointment–Responsibilities and duties.

An officer shall be appointed in the same manner as provided for the appointment of appointed officials under Title 50, Idaho Code and such officer shall be responsible for the enforcement of the provisions of this title and such other duties as the governing body may set forth. (Prior code §4-4-17)

17.60.020 Certificate of compliance–Required when–Application–Issuance–Record keeping.

No building or structure hereafter erected or structurally altered shall be occupied and used until a certificate of compliance has been issued. The certificate of compliance shall be issued only after the enforcing officer reports a finding that the building has been erected or structurally altered in conformance with the provisions of this title and other health and building regulations.

A certificate of compliance shall be applied for coincident with the application for a building permit and shall be issued within ten days after the erection or alterations of such buildings shall have been satisfactorily completed. A record of all certificates shall be kept on file in the office of the enforcing officer and copies shall be furnished, on request, to any person having a proprietary or tenancy interest in the building affected. (Prior code §4-4-18)

17.60.030 Change of use–Certificate required–Public hearing and notice prerequisites.

The use of a building already erected at the time this title becomes effective shall not be changed to some other use or occupied for any other purpose, unless the owner applies for and receives a certificate of compliance.

On all matters of concern or interest to citizens generally which would involve the change of use or occupancy for a purpose to which there might be general objection, or if a petition is received from twenty (20) or more residents, the Planning Commission shall issue public notices at least five days in advance of a public hearing, at which all interested parties shall be heard, and then a decision shall be made by the Planning Commission on the question of issuing such permit or imposing such restrictions or conditions as the commission shall require after such hearing. (Prior code §4-4-22)

17.60.040 Use permit–Required when–Issuance restrictions.

No change shall be made in the use of a building or part thereof now or hereafter erected or structurally altered, or in the use of land now or hereafter occupied, without a use permit having first been

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issued by the enforcing officer. No such use permit shall be issued to make such change unless it is in conformity with the provisions of this title. (Prior code §4-4-19)

17.60.050 Appeals.

Any decision of the Planning Commission can be appealed by any affected person to the City Council within 10 days upon receipt of notification of such decision. An affected person is any person who can demonstrate they have or will be impacted by the decision.

Upon receiving notification of a Planning Commission decision, any affected person may file, in writing, an appeal of such decision to the City Council. Such appeal must be filed with the Planning and Zoning staff. The City Council shall have 45 days to act upon such appeal and may either affirm the Planning Commission decision, not affirm such decision, or modify such decision. Such applicant of an appeal shall have the right to appeal the decision of the City Council in accordance with Idaho State Code 67-6521