

ARTICLE 18: VIOLATIONS AND PENALTIES

Section 18.10 Violations of Ordinance

The Zoning Administrator shall have the authority and duty to ensure that all buildings and structures and the use of all land complies with the provisions of this Ordinance. Whenever the Zoning Administrator determines that a violation of this Ordinance has occurred, or whenever the Zoning Administrator has received reliable information indicating that a violation of this Ordinance is about to occur, he shall notify in writing the persons responsible for such violation, indicating the nature thereof and take such action as is necessary to correct the violation and prevent further similar violations from occurring.

§18.10.10

Any person violating the provisions of this Ordinance or who knowingly permits any such violation to occur, or fails to comply with any of the requirements hereof, or who erects any building or structures or uses any building, structure or land in violation of the provisions of this Ordinance, or the provisions of any approval granted by the Town under this Ordinance, shall be guilty of a misdemeanor subject to the enforcement provisions of this Article.

§18.10.20

It shall be unlawful for any person to make or cause to be made any unauthorized amendment to an approved site plan, to fail to conform to an approved site plan, or to begin any development before obtaining an approved site development plan and/or zoning permit required by this Ordinance.

§18.10.30

In case any building or structure proposed is erected, constructed, reconstructed, altered, maintained or used in violation of this Ordinance or amendment thereof, enacted or adopted by the Town Council under the authority granted by this Ordinance, Town Council, or any owner of real property adjacent or neighboring such structure or land who may be specially damaged by the violation, in addition to other remedies provided by law, may institute an injunction, abatement, or any appropriate action or proceeding to prevent, enjoin, abate or remove such unlawful erection, construction, reconstruction, alteration, maintenance or use, or to prevent occupancy of the building, structure or land.

§18.10.40

In the event any land is altered or trees destroyed in violation of this Ordinance, in addition to the penalties in set forth in this article, the violator must replace or mitigate the property to its original condition to the extent possible.

§18.10.50

No permit shall be issued or approved unless the requirements of this ordinance or any amendments thereto are complied with. It is unlawful for other officials to issue any permits for the use of any land, building, or structure, or the construction, conversion, demolition, enlargement, movement, or structural alteration of a building or structure without the approval of the zoning administrator.

Section 18.20 Penalties and Fines

§18.20.10

Fines and mitigation requirements for violation of this Ordinance shall be imposed by the Zoning Administrator, who shall notify the Planning Commission and the Mayor of all such enforcement actions. (Ordinance 1990-03, 5/10/90)(Ordinance 1995-06, 6/8/95)

§18.20.20

Any person violating the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction shall be fined not more than Five Hundred (\$500) Dollars or imprisoned not more than thirty (30) days. Each day of violation shall constitute a separate offense. (Ordinance 1997-08, 6/24/97)

§18.20.30

Failure to comply with the fines and/or mitigation requirements imposed pursuant to this Ordinance shall constitute grounds for the institution of legal proceedings to assure compliance with such enforcement actions. (Ordinance 1990-03, 5/10/90)

Section 18.30 Appeals

§18.30.10

Appeal of penalties and/or mitigation requirements shall be made to the Board of Zoning Appeals pursuant to Section 19.40 et seq. of this Ordinance.

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§18.30.20

Appeals from any criminal conviction in the Municipal Court for the violations of this ordinance shall be to the Circuit Court. (Ordinance 1990-03, 5/10/90)(Ordinance 1995-06, 6/8/95) (Ordinance 1997-08, 6/24/97)