

CHAPTER 34

ENFORCEMENT

- Section 34.010. Enforcement – Procedures and Duties.
- Section 34.020. Civil Enforcement.
- Section 34.030. Stay Order.
- Section 34.040. Reconsideration/Revocation of Approvals, Permits and Licenses.

Section 34.010. Enforcement - Procedures and Duties. *(Amended 02/06/08; 08/28/12)*

This Code may be enforced by the City by any appropriate means authorized by State law and Lehi City ordinances including, but not limited to, injunctive relief, fines, withholding of building permits, imprisonment, and revocation of development approvals, permits and licenses.

A. It shall be the duty of the Zoning Administrator and other City Staff to enforce these requirements and to bring to the attention of the City Attorney or his designee any violations of this Code.

B. No building permit shall be issued for the construction of any building or structure located on a lot subdivided or sold in violation of the provisions of this Code, nor shall the City have any obligation to issue certificates of occupancy or to extend utility services to any parcel created in violation of this Code.

C. Notwithstanding any other remedy described in this code, any person who violates any of the provisions of this Code or fails to comply therewith, or who violates or fails to comply with any order made there under, or who builds or constructs in violation of any detailed statement of specifications or plans submitted and approved there under, or any certificate or permit issued there under, and from which no appeal has been taken or who fails to comply with an order as affirmed or modified by the City Council or by a court of competent jurisdiction, within the time fixed herein, may severally for each and every such violation and non-compliance respectively, be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment of not more than six (6) months or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained

shall constitute a separate offense.

Section 34.020. Civil Enforcement.

Appropriate actions and proceedings may be taken by the City in law or in equity to prevent any violation of this Code, to prevent unlawful construction, to recover damages, to restrain, correct, or abate a violation, and to prevent illegal occupancy of a building, structure or premises.

Section 34.030. Stay Order.

In order to maintain the status quo pending the appeal of any decision hereunder or otherwise, the City may issue a stop work order mandating that all development activities cease in accordance with the terms of the order. Said order may be appealed to the City Council within five (5) days of the receipt thereof by any aggrieved person.

Section 34.040. Reconsideration/Revocation of Approvals, Permits and Licenses.

An approved development application, permit or license may be reconsidered and revoked by the Zoning Administrator, the Development Review Committee, the Planning Commission, the Board of Adjustment, or City Council in accordance with the procedures set forth in this Section if it is determined that the application, decision, permit, or license was based on materially inaccurate or incomplete information.

A. Duties of the Zoning Administrator. If the Zoning Administrator determines, based on inspection by City Staff, that there are reasonable grounds for revocation of a development permit or license authorized by this Code, the Zoning Administrator shall set a public hearing before the approving body.

B. Notice and Public Hearing. At least fourteen (14) days notice of a proceeding to reconsider or revoke the development permit or license shall be given to the applicant.

C. Required Findings. The approving body may revoke the development approval, permit or license upon making one or more of the following findings:

1. That the development permit was issued on the basis of erroneous or misleading information or misrepresentation provided by the applicant.
2. That the terms or conditions of approval of the permit relating to establishment or operation of the use, building or structure have been violated or that other laws or regulations of the City, Coun-

ty, State, Federal or Regional Agencies applicable to the development have been violated.

D. Decision and Notice. Within ten (10) days of the conclusion of the hearing, the approving body shall render a decision and shall notify the holder of the permit or license of the decision, and any other person who has filed a written request for such notice.

E. Effect. A decision to revoke a development permit or license shall become final five (5) days after the date notice of the decision was given. After the effective date, all activities pursuant to such permit shall be deemed in violation of this Code.