Chapter 15.04
BUILDINGS AND LAND USE

Sections:

15.04.010 Land use permit—Required.
15.04.020 Land use permit—Expiration.

15.04.010 Land use permit—Required.

A. No new construction may commence within the city unless a land use permit is first obtained from the city clerk. All applications for new construction which are not consistent with established ordinances and city regulations will be referred to the planning and zoning commission for review. A nonrefundable fee of twenty dollars will be assessed for each application received by the city clerk prior to processing.

B. The land use permit should have annotated on it warnings as to snow load to be expected, wind factors, and other concerns as appropriate, to be considered in building in the Whittier area.

C. A copy of the executed land use permits shall be forwarded by the city to those state agencies responsible for code enforcement.

D. Applicants for a land use permit for a use other than single family or duplex residential use shall certify in writing that they are aware that the structure and use proposed in the application may be subject to requirements of state and federal law, including the Americans With Disabilities Act (ADA), (42 USC 12182) and that the applicant intends to comply with all applicable local, state, and federal laws in the construction and use set out in the application. (Ord 363-97, §2,1997; Ord. 111-88 §2, 1988: Ord. 104-88 §2, 1988: Ord. 2-1-83A §1, 1983: prior code §26.05.010 (part))

15.04.020 Land use permit—Expiration.

A land use permit issued under this chapter shall automatically expire within one year of its date of issuance. (Ord. 111-88 §3, 1988: Ord. 104-88 §3, 1988: Ord. 2-1-83A §2, 1983: prior code §26.05.010(part))

17.20.280 Board of adjustment--Judicial review.

A municipal officer, a taxpayer, or a person jointly or severely aggrieved, may appeal an action of the board of adjustment to the superior court by filing with the City Clerk written notice within ten days of the action appealed. The notice shall specify grounds for appeal. When the notice is filed, the board shall at once transmit to the superior court clerk copies of all papers constituting the record in the case.
An appeal from the board of adjustment stays enforcement proceedings unless the court issues an enforcement order based on a certificate of imminent peril to life or property made by the board. (Ord. 7-19-84 § 1(part), 1984: prior code §23.25.030(E))

17.20.290 Payment of fees required.

The planning commission shall not consider any matter until there is first paid a fee as required below, except that such a fee shall not be required where the city or an official body thereof is the moving party. The amount of required fee is as follows:

A. For consideration of an application for a conditional use permit, variance application or zoning text or map amendment: twenty dollars;

B. For consideration of an application for a planned unit development: five hundred dollars per acre or a maximum fee of five thousand dollars to enable the planning commission to obtain adequate staff and/or professional assistance for a review of the proposed project;

C. The fees in this section shall be waived where the city is the developer;

D. The fee set out in subsection B of this section may be reduced or waived when the planning commission determines that no professional assistance is needed for review of the project. (Ord. 7-19-84 §1(part), 1984: prior code §23.25.040))

Chapter 17.36
ENFORCEMENT

Sections:

17.36.010 Interpretation--Conflict with other laws.
17.36.020 Permit--Revocation and invalidation.
17.36.030 Permit--Required.
17.36.040 City liability.

17.36.010 Interpretation--Conflict with other laws.

A. In their interpretation and application, the provisions of this chapter shall be held to be minimum requirements adopted for the promotion of the public health, safety and welfare.

B. Whenever the requirements of this title are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances or other legislative actions, the more restrictive, or that imposing the higher standard, shall govern. (Ord. 7-19-84 §1(part), 1984: prior code §23.45.010)

17.36.020 Permit--Revocation and invalidation.

Any permit authorized by this title issued in reliance upon any materially false statement in the application therefor, or in supporting documents or oral statements, is absolutely void and is revoked. (Ord. 7-19-84 §1(part), 1984: prior code §23.45.020)

17.36.030 Permit--Required.

It is unlawful to perform significant grading work, tree removal or other landscape alteration or to erect, construct, reconstruct, alter, move or change the use of any building, sign or other structure or improvement within the city without obtaining a permit from the city zoning administrator. (Ord. 7-19-84 §1(part), 1984: prior code §23.45.030)

17.36.040 City liability.

This title shall not be construed to hold the city or its authorized agents responsible for any damage to property or injury to persons by reason of inspection authorized herein, or failure to inspect, or by reason of issuance of a building permit as herein provided. (Ord. 7-19-84 §1(part), 1984: prior code §23.45.050)

Chapter 17.40
VIOLATIONS

Sections:

17.40.010 Designated.
17.40.020 Action to abate.
17.40.030 Penalty imposition not to preclude further action.
17.40.040 Remedies to be cumulative
17.40.050 Violation--Penalty.

17.40.010 Designated.

The erection, construction, reconstruction, alteration, moving, conversion or maintenance of any building or structure and the use of any land, structure or building which is continued, operated or maintained contrary to any provisions of this title, is declared to be a violation of this title and unlawful. (Ord. 7-19-84 §1 (part), 1984: prior code §23.45.040(A))

17.40.020 Action to abate.

The city attorney shall, immediately upon such violation being called to his attention, institute injunctive, abatement, or other appropriate action to prevent, enjoin, abate or remove such violation. Such right of action shall also accrue to any property owner who may be especially damaged by any violation of this title. (Ord. 7-19-84 §1(part), 1984: prior code §23.45- .040(C))

17.40.030 Penalty imposition not to preclude further action.

The imposition of any penalty hereunder shall not preclude the city or affected property owner from instituting any appropriate action or proceeding to require compliance with the provisions of this title. (Ord. 7-19-84 §1(part), 1984: prior code §23.45.040(D))

17.40.040 Remedies to be cumulative.

Any remedies provided for herein shall be cumulative and not exclusive and shall be in addition to any other remedies provided by law. (Ord. 7-19-84 §1(part), 1984: prior code §23.45 .040(E))

17.40.050 Violation--Penalty.

Any person or corporation, whether as principal, agent or employee, who violates any provision of this title shall be, for each offense, punished by a fine of not more than five hundred dollars. Each day any violation of this zoning ordinance continues will constitute a separate offense. (Ord. 7-19-84 §1(part), 1984: prior code §23.45.040(B))