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## BUILDING PERMITS AND FEES

### 15.01 Building Permits

No new development, change of use, moving in/moving out of structures, demolition, or other action which may be regulated by the provisions of this ordinance including use, height, number of occupants, lot area, off-street parking or yard requirements, shall occur without a Building Permit issued by the Authorized Official of the City of Elk Point.

- A. An Application for Building Permit, available from the Authorized Official of the City of Elk Point, shall be completed by the landowner requesting the Building Permit. Completed applications shall be returned to the Authorized Official of the City of Elk Point for review. To be considered complete, the application form shall be accompanied by the following additional items:
  - 1. Any required attachments and City fees;
  - 2. Two copies of plans drawn to scale, showing the dimensions and shape of the lot to be built upon; the exact sizes and locations on the lot of buildings already existing, if any; and the location and dimensions of the proposed building or alteration;
  - 3. Any additional information, as requested by the Authorized Official of the City of Elk Point, as lawfully may be required to determine conformance with and provide for the enforcement of this ordinance.
- B. A temporary Building Permit may be issued by the Authorized Official of the City of Elk Point for a period not exceeding 6 months during alterations or partial occupancy of a building pending its completion. The Authorized official of the City of Elk Point may attach conditions and safeguards to said temporary permit to protect the safety of the occupants and the public.
- C. The Planning Commission shall review and issue building permits that require structural alterations or foundations. This regulation shall take place on November 1, 2005 or when the 2005 revised ordinance is effective, whichever is later.
- D. One copy of the plans shall be returned to the applicant, after the Authorized Official of the City of Elk Point or the Planning Commission has marked such copy as either approved or disapproved, and attested to the same by signing said copy of the plans. One

copy of the plans, similarly marked, shall be retained by the Authorized Official of the City of Elk Point for City records.

D. If the Authorized Official of the City of Elk Point or the Planning Commission determines the proposed action would not be in compliance with the provisions of these regulations, a Building Permit may not be issued, except upon completion of one of the following processes established in these regulations, as may be applicable to such proposed action. The Authorized Official of the City of Elk Point shall inform the applicant when one of the following processes may be applicable:

1. Variance
2. Amendment
3. Conditional Use Permit

Issuance of a Building Permit shall indicate that, in the opinion of the Authorized Official of the City of Elk Point, the proposed use and/or alterations of existing use are in compliance with the requirements of these Zoning Regulations. Issuance of a Building Permit shall not be construed as waiving any provisions of these regulations. Proposed uses and/or alterations of existing uses which are not in compliance with the requirements of these Zoning Regulations shall not be issued a Building Permit.

## **15.02 Fees**

A schedule of fees, charges, and expenses for permits, change of zone, appeals, and other matters pertaining to this Zoning Ordinance shall be established by resolution of the City Council. The current fee schedule shall be available from the Authorized Official of the City of Elk Point. All fees shall be the property of the City and shall be paid over to the Authorized Official of the City of Elk Point for credit to the General Fund of the City which under no condition shall be refunded. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

## **15.03 Expiration of a Building Permit**

If the activities described in any permit have not begun within (90) days from the date of issuance, the permit shall be canceled by the Authorized Official and written notice given to the persons affected. If the activities described in any permit have not been completed within one (1) year of the date of issuance, said permit shall expire and be canceled by the Authorized Official and written notice shall be given to the persons affected, together with notice that further work as described in the canceled permit shall not proceed unless and until a new permit has been obtained. The Authorized Official may grant a ninety day (90) day extension if deemed necessary for an activity stated in permit.