

ARTICLE X. GENERAL PROVISIONS

Section 10.010. Enforcement.

The Commission or its agent shall have the power and duty to enforce the provisions of this ordinance.

Section 10.020. Authorization of Similar Uses.

The Commission may permit in a particular zone a use not listed in this ordinance provided the use is of the same general type as the uses permitted in that zone. However, this section does not authorize the inclusion of a use in a zone where it is not specifically listed in another zone or where it is similar to a use specifically listed in another zone.

Section 10.030. Application Fees.

The application fees for zoning amendments, conditional use permits, variances, and other land use applications shall be determined by the Board of Commissioners.

Section 10.040. Interpretations.

Interpretation of the meaning of this ordinance may be rendered by the Director or Commission. Such interpretations are subject to review by a higher authority under the provision of Article II. The provisions of this ordinance shall be held to the minimum requirements fulfilling its objectives. Where the conditions imposed by a provision of this ordinance are less restrictive than comparable conditions imposed by any other provision of this ordinance or of any other ordinance, resolution or regulation, the provisions which are more restrictive shall govern.

Section 10.050. Abatement and Penalty.

1. Violation of Zoning Regulations.

No person shall locate, construct, maintain, repair, alter, or use a building or other structure or use, or transfer land in violation of any of the parts of this ordinance or any decisions made by the County under this ordinance. Any person may request an investigation of a violation by filing a signed request for investigation of a zoning violation with the Director. Upon receipt of the request for an investigation, the Director or his designate shall make an on-site investigation of the reported violation. If a violation is verified by the on-site investigation, the Director shall notify the property owner of record of the violation and request that the violation be corrected within a specified period of time. If the violation is not corrected within the specified time, the Director shall seek remedy under the applicable law.

2. Remedy for Unlawful Structure or Land Use.

In case a building or other structure is located or is proposed to be located, constructed, maintained, repaired, altered or used, or any land is or is proposed to be used in violation of any of the parts of this ordinance the county shall, the Board of Commissioners may, in addition to other remedies provided by law institute injunction, mandamus, abatement or other appropriate proceedings to prevent, temporarily or

permanently enjoin, abate or remove the unlawful location, construction, maintenance, repair, alteration or use. When a temporary restraining order is granted in a suit by the County, any affected person who is not exempt from furnishing bonds or undertakings under ORS 22.010, shall furnish an undertaking as provided in ORCP 82.

3. Civil Penalties.

Any individual, firm or corporation, whether as principal, agent, or employee violating any provisions of this ordinance shall, upon conviction thereof, be punished by a fine established for each offense as set forth in applicable law. For purposes of this ordinance, a failure to comply with any provision of a county ordinance from day to day shall be a separate offense for each day. In addition to any fine, the court shall impose reasonable court costs, and other legal or equitable relief as it seems appropriate.

Section 10.060. Severability.

The provisions of this ordinance are hereby declared to be severable. If any section, sentence, clause or phrase of this ordinance is adjudged by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.