

## ARTICLE III

### REVIEW BODIES, ADMINISTRATION AND VIOLATIONS

#### 300 Review Bodies

##### 300.1 Versailles-Midway-Woodford County Planning Commission

- A. **Duties and Responsibilities.** The duties of the Versailles-Midway-Woodford County Planning Commission (the "Planning Commission") in regard to this Ordinance are established by KRS 100 and shall include the following:
1. Hold a public hearing in accordance with State statutes and make a recommendation to the appropriate governing body in regard to Zoning Text or Zoning Map Amendments. The Planning Commission shall take action in compliance with KRS 100.
  2. Review and take Final Action on Development Plans.
  3. Hold a public hearing and take Final Action on Variances and Conditional Use Permits when concurrent with map amendments.
  4. Review and make a recommendation to the appropriate governing body in regard to designation of Local Historic Districts and individual Local Historic Sites.
  5. Provide oversight in the Building and Zoning Permit review process established in this ordinance.
- B. **Membership.** The Versailles-Midway-Woodford County Planning Commission shall consist of 9 citizen members. Four of the members shall be appointed by the Woodford County Fiscal Court, four by the City of Versailles, and one by the City of Midway, subject to the approval of the legislative bodies.
- C. **Terms of Office.** The term of office shall be four years. The term of all present members shall continue to be staggered as presently appointed.
- D. **Jurisdiction.** The area of jurisdiction of the Versailles-Midway-Woodford County Planning Commission shall include all land within Woodford County, including the cities of Versailles and Midway.

##### 300.2 Woodford County Board of Adjustments

- A. **Duties and Responsibilities.** The Woodford County Board of Adjustments shall have powers, duties and responsibilities set forth in Kentucky Revised Statutes, Chapter 100, and shall include the following:
1. Hear and decide Administrative Appeals where it is alleged by the appellants that there is an error in any order, requirement, permit, decision, determination or refusal made by any Administrative Official in carrying out or enforcing any provision of this Ordinance.

2. To take Final Action on Conditional Use Permits.
  3. To take Final Action on Variances.
  4. Administer the Non-Conforming Use regulations per KRS 100.253.
- B. **Membership.** The Woodford County Board of Adjustments shall consist of 5 citizen members. Two of the members shall be appointed by the Woodford County Fiscal Court, two by the City of Versailles, and one by the City of Midway, subject to the approval of the legislative bodies.
- C. **Terms of Office.** The terms of office shall be 4 years. The term of all present members shall continue to be staggered as presently appointed.
- D. **Jurisdiction.** The area of jurisdiction of the Board of Adjustments shall include all land within Woodford County, provided, however, that each city may choose to have an additional board of adjustments as provided in Kentucky Revised Statutes, 100.217, whose jurisdiction shall be limited to that city's boundaries.

### 300.3 Board of Architectural Review

- A. **Duties and Responsibilities.** The Board of Architectural Review shall take action necessary and appropriate to accomplish the purpose of this Ordinance. These actions may include, but are not limited to:
1. Review initiated surveys of historic buildings and areas.
  2. Recommending the designation of Local Historic Districts and individual Local Historic Sites to the Planning Commission.
  3. Regulating changes to designated property (including the issuance or denial of Certificates of Appropriateness).
  4. Recommending Historic Overlay Design Standards for changes to designated property.
- B. **Membership.** The Board of Architectural Review shall consist of 5 citizen members. Two of the members shall be appointed by the Woodford County Fiscal Court, two by the City of Versailles, and one by the City of Midway, subject to the approval of the legislative bodies.
- C. **Terms of Office.** The terms of office shall be 2 years. The term of all present members shall continue to be staggered as presently appointed.
- D. **Jurisdiction.** The area of jurisdiction Board of Architectural Review shall include all land within the any adopted Local Historic Site or Local Historic Overlay Zoning District within Woodford County, including the cities of Versailles and Midway.

### 300.4 Legislative Bodies

- A. **Listed.** The following legislative bodies shall have jurisdiction under this Ordinance.
1. The Woodford County Fiscal Court.
  2. The Versailles City Council.
  3. The Midway City Council.
- B. **Duties and Responsibilities.** The duties of the appropriate legislative bodies in regard to this Ordinance shall include the following:
1. Take Final Action on any amendment of the Text of this Ordinance or the Official Zoning Map.
  2. Take final action on the designation of Local Historic Districts or sites.
  3. Appoint Board Memberships as defined in this Article of this Zoning Ordinance.

### 300.5 Planning Commission Director

- A. **Duties and Responsibilities.** The duties of the Versailles-Midway-Woodford County Planning Commission Director (the "Director"), or designee, in regard to this Ordinance shall include the following:
1. Serve as the Administrative Official per KRS 100.271.
  2. Approve minor amendments to Development Plans.
  3. Review Building, Grading, Paving, Demolition, Sign and Zoning Permits for conformance with this Ordinance.
  4. Make inspections of any premises necessary to carry out the enforcement of this Zoning Ordinance.
  5. Issue citations for violations of this Zoning Ordinance in accordance to KRS 100.991
  6. Issue citations for violations of this Zoning Ordinance in accordance with the provisions of any Legislative Body's Code Enforcement Board Ordinance and KRS 65.8801 through 65.8840 (Local Government Code Enforcement Board Act) for areas within the jurisdiction of any Governing Body's Code Enforcement Board.

### 300.6 Building Inspector

- A. **Duties and Responsibilities.** The duties of the Building Inspector in regard to this Ordinance shall include the following:

1. Review Building Permits and Certificates of Occupancy (C.O.'s) for conformance with this Ordinance.
2. Review Grading, Paving, Demolition, Sign and Zoning Permits for conformance with this Ordinance.
3. Make inspections of any premises necessary to carry out the enforcement of this Zoning Ordinance.
4. Take final action on all Building Permits and Certificates of Occupancy.

### **301 Penalties and Violations**

#### **301.1 Violations Pursuant to KRS 100.991**

Violations of this Zoning Ordinance pursuant to KRS 100.991 shall be subject to the following:

- A. Any person or entity who violates any of the provisions of KRS 100.201 to 100.347 or any of the regulations adopted pursuant thereto for which no other penalty is provided, shall upon conviction, be fined not less than ten dollars (\$10) but not more than five hundred dollars (\$500) for each conviction. Each day of violation shall constitute a separate offense.
- B. Any person, owner or agent who violates this chapter shall, upon conviction, be fined not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) for each lot or parcel which was subject of sale or transfer, or a contract for sale or transfer.
- C. Any person who intentionally violates any provision of KRS 100.3681 to 100.3684 shall be guilty of a misdemeanor punishable by a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500).

#### **301.2 Violations Pursuant to KRS 65.8801 through 65.8840**

Violations of this Zoning Ordinance pursuant to KRS 65.8801 through 65.8840 (Local Government Code Enforcement Board Act) shall be subject to the areas and civil fines established within the jurisdiction of any Governing Body's Code Enforcement Board.

### **302 Other Remedies**

In such case any building is erected, constructed, reconstructed, repaired, converted, or maintained, or any building, structure or land is used in violation of this Zoning Ordinance, the Planning Commission, any appropriate Codes Enforcement Officer of any Legislative Body, or any adjacent or neighboring property owner who would be damaged by such violation, in addition to other remedies, may institute an injunction, mandamus or other appropriate action or proceeding to prevent the occupancy of such building, structure or land.