

ORDINANCE NO. 2018-03

AN ORDINANCE PROVIDING FOR THE REVOCATION OF CONDITIONAL USE PERMITS UPON VIOLATION OF CONDITIONAL USE TERMS

The City of St Augusta does hereby ordain as follows:

Section 1. Revocation of Conditional Use Permit. Section 4 of the St. Augusta Zoning Ordinance is hereby amended to add the following Section 4.09:

4.09 Revocation of Conditional Use Permit. The following procedure shall be followed in the event the Zoning Administrator has reason to believe that a property is not in compliance with the terms of a conditional use permit issued to the property:

A. A violation of any condition set forth in a conditional use permit shall be a violation of both the permit and this Ordinance.

B. Failure to correct a violation within thirty (30) days of written notice by the Zoning Administrator shall be grounds to revoke a conditional use permit through the following procedure:

(1) The Zoning Administrator shall give written notice to the permit holder, advising that the conditional use permit may be revoked upon the conclusion of a public hearing. The written notice shall also contain the nature of the violation, the facts that support the allegation that a violation exists, and the date and time of the public hearing.

(2) The City Council shall hold a public hearing in the same manner as that required for a new conditional use permit, except that the Planning Commission need not consider the matter.

(3) Within sixty (60) days of closing the public hearing, the City Council shall revoke the conditional use permit if it is determined that a violation of the conditional use permit terms does exist, or it shall make a finding that a violation of such conditional use permit terms does not exist. The Zoning Administrator shall give written notice of the City Council's decision to the permit holder.

Section 2. Effective Date. This ordinance shall be effective upon its passage and publication as required by law.

PASSED by the City Council of the City of St. Augusta this _____ day of _____,
2018.

B.J. Kroll, Mayor

Attest:

William R. McCabe, City Clerk/Administrator