

Article 14: Enforcement and Penalties

14.01 ENFORCING OFFICER

The Zoning Inspector, or their designee, shall be the enforcing officer of this resolution. The enforcing officer is hereby authorized to enforce, issue orders to prevent and stop violations, and administer the provisions of this resolution. The Zoning Inspector may be assisted by other personnel as the Board of Trustees deems necessary.

14.02 VIOLATIONS

- (A) Any of the following shall be a violation of this resolution and shall be subject to the enforcement remedies and penalties provided by this article and by the ORC:
- (1) To engage in any construction, use of land or building, expansion, change of occupancy, or other activity of any nature upon the land and improvements thereon subject to the jurisdiction of Boardman Township without all of the required certificates or reviews, or other forms of authorization as may be set forth in this resolution;
 - (2) To engage in any construction, use of land or building, expansion, change of occupancy, or other activity of any nature in any way inconsistent with any approved certificate or approval granted by the township in accordance with this resolution;
 - (3) To violate, by act or omission, any term, condition or qualification placed by the township upon a required certificate or approval granted by the township;
 - (4) To violate any other term, condition, standard, or requirement of this resolution; or
 - (5) To continue any of the above-stated violations.
- (B) Each day a violation continues shall be considered a separate offense.
- (C) In all cases, the Board of Trustees, the Mahoning County Prosecutor's Office, the Zoning Inspector, or any adjacent or neighboring property owners who would be especially damaged by such violations, in addition to other remedies provided by law, may, at their own expense, institute injunction, mandamus, abatement, or any other appropriate action or proceeding to prevent, enjoin, abate or remove such violation.

14.03 INSPECTIONS

The Zoning Inspector shall inspect each alleged violation and shall, in writing, order correction of all conditions which are found to be in violation of this Resolution. The Zoning Inspector will prepare a written report and case file on any matter that might warrant suit or prosecution for a violation of this resolution.

14.04 REMEDIES

Pursuant to Section 519.24 of the ORC, in case any building or land is used, altered, constructed, enlarged or any other action proposed in violation of the provisions of this resolution or any amendment or supplement thereto, the Board of Trustees, the Mahoning County Prosecutor's Office, the Zoning Inspector, or any person or any property owner damaged by or subject to damage by such violation, in addition to remedies provided by law, is hereby empowered or authorized to institute appropriate action or proceedings to prevent such unlawful location, erection, construction, reconstruction, enlargement, change maintenance or use.

14.05 PENALTIES

- (A) Any person or entity convicted of violating any regulation, provision, amendment or supplement to this resolution shall be fined not more than \$500.00 per offense. Each and every day during which such violation continues may be deemed a separate offense.
- (B) If the violation is related to [Article 8: Riparian Corridor Setbacks](#), the person who violates any section of Article shall be subject to the above penalties and shall be required to restore the riparian setback through a restoration plan approved by the BZA.

14.06 OTHER ACTIONS

The imposition of any other penalties provided herein shall not preclude Boardman Township from instituting an appropriate action or proceeding in a Court of proper jurisdiction to prevent an unlawful development, or to restrain, correct, or abate a violation, or to require compliance with the provisions of this regulation or other applicable laws, ordinances, rules, or regulations, or the orders of the Boardman Township.