

CHAPTER 8

VIOLATION AND PENALTY

SECTION:

- 10-8-1: Conflict
- 10-8-2: Severability
- 10-8-3: Violations; Public Nuisance
- 10-8-4: Responsibility For Violations
- 10-8-5: Penalty

10-8-1: **CONFLICT:** Whenever regulations in this title require higher standards than are required in other ordinances or laws, the provisions of this title shall govern. Whenever regulations of other ordinances or laws require higher standards than the provisions of this title, then said other ordinances or laws shall govern. (Ord. 93-6-2, 6-28-1993; as amended 6-24-2002)

10-8-2: **SEVERABILITY:** This title and the various parts, sections and clauses are hereby declared to be severable. If any part, section, paragraph, sentence, clause, or phrase is adjudged unconstitutional or invalid, it is hereby declared that the remainder of the title shall not be affected thereby. The board of county commissioners of Cassia County hereby declares that it would have passed this title and each part, section, paragraph, sentence, clause and phrase thereof, irrespective of the fact that anyone or more portions thereof be declared invalid. (Ord. 93-6-2, 6-28-1993; as amended 6-24-2002)

10-8-3: **VIOLATIONS; PUBLIC NUISANCE:** Any division, partition, sale or use of land or building or premises established, conducted, maintained or operated contrary to the provisions of this title is hereby declared to be unlawful and opposed to the orderly development of the county and shall therefore be considered a public nuisance. (Ord. 93-6-2, 6-28-1993; as amended 6-24-2002)

10-8-4: **RESPONSIBILITY FOR VIOLATIONS:** It shall be the duty of all owners, architects, contractors, land surveyors, engineers, subdividers, subcontractors, builders and other persons having to do with the establishment of any division, partition, sale or use of land or the erection, altering, changing or remodeling of any building or structure to see that a proper plat has been approved before such work is begun. Any such owner, architect, builder, land surveyor, engineer, contractor or other person doing or performing any such work without a plat having been approved is in conflict with the requirements of this title and shall be deemed guilty of violation of this title in the same manner and to the same extent that the owner of the premises or the persons for whom the development is established, or for whom such buildings are erected or altered, and shall be subject to the penalties herein prescribed for violation. (Ord. 93-6-2, 6-28-1993; as amended 6-24-2002)

10-8-5: **PENALTY:**

- A. Any person, individual, firm or corporation, whether as a principal, agent, employee or otherwise, who violates the provisions of this chapter, shall be subject to the enforcement and penalty provisions, including both civil and/or criminal remedies, as set forth in Chapter 4, Title 1 of this code. Such person, individual, firm or corporation violating this title or any part thereof shall be deemed in violation of a separate offense for each and every day during which such violation is committed, continued, or permitted by such person, individual, firm, or corporation and shall be punishable as provided by law and this code as a separate offense or violation. (Ord. 2009-04-02, 4-14-2009).
- B. No building permit will be issued for the construction of any building or structure located on a lot or plat subdivided or sold in violation of the provisions of these regulations or state platting statutes, nor shall Cassia County have any obligation to issue any certificates of occupancy to any parcel created or established in violation of these provisions. (Ord. 2009-04-02, 4-14-2009).
- C. Cassia County shall have recourse to such civil remedies in law and equity as may be necessary to ensure compliance with the provisions of these regulations, including the denial of permits to construct or establish a land use when subdivision requirements have not been met. (Ord. 2009-04-02, 4-14-2009).