

**ORDINANCE ADOPTING ZONING FOR WORKFORCE HOUSING**

**MODEL ORDINANCE FOR MUNICIPALITIES**

*Under the authority of 76-2-301, MCA*

**[Insert Name of City], Montana**

**Ordinance No. \_\_\_\_\_**

WHEREAS, recent technological advances in oil and gas drilling have allowed certain petroleum deposits to become economical to develop; and

WHEREAS, initial oil and gas well development *(or pipeline construction)* requires a large, temporary workforce that needs housing; and

WHEREAS, the rapid proliferation of workforce housing in the region requires measures to classify and regulate the location and conditions on such housing in order to provide a basic level of public health, safety, and general welfare and to mitigate the impacts so as to not unduly burden the residents of *[insert name of jurisdiction]*; and

WHEREAS, the *[insert name of jurisdiction's]* Growth Policy provides guidance for encouraging development that provides for *[safe streets, safe and effective water supply and wastewater treatment, etc... fill in whatever policies, goals or objectives are met by the proposed zoning]*; and

WHEREAS, the proposed zoning secures safety from fire and other dangers by providing a review process and criteria that ensure housing will be located in a manner that permits access by fire protection services, require adequate water supply for fire suppression, and reduce the risk of spreading fire by requiring structural separation; and

WHEREAS, the proposed zoning promotes the public health, public safety, and general welfare by providing for a review process and development standards that ensure availability of adequate water, wastewater, solid waste, and other public utilities for workforce housing; the provision of adequate emergency and other public services; adequate grading and drainage; legal and physical access to the housing facilities; landscaping and visual buffering of the site from adjacent uses; and provides for the appropriate location and construction standards of workforce housing to ensure the preservation of the values of the quality of life and property in the municipality while meeting the immediate demand for workforce housing; and

WHEREAS, the proposed zoning facilitates the adequate provision of transportation, water and sewerage by requiring review and improvements as necessary to roads, water systems and sanitation facilities; and

WHEREAS, the proposed zoning facilitates the adequate provision of schools, parks and other public facilities by *[describe applicable circumstances]*; and

WHEREAS, in considering and adopting the proposed zoning, the *City/Town* Council considered the reasonable provision of adequate light and air by *[describe how this was addressed through review]*; and

WHEREAS, in considering and adopting the proposed zoning, the *City/Town* Council considered the effect on motorized transportation by requiring construction of streets to a set standard, generally recognized as adequate, for the movement of vehicles as well as required parking spaces to ensure that streets are not blocked or travel width reduced by parked vehicles; and

WHEREAS, in considering and adopting the proposed zoning, the *City/Town* Council considered the effect on non-motorized transportation systems by *[describe how this was addressed through review]*; and

WHEREAS, in considering and adopting the proposed zoning, the *City/Town* Council considered the compatibility of urban growth in the vicinity and found the workforce housing to be acceptable because *[describe rationale in allowing this type of development]*; and

WHEREAS, in considering and adopting the proposed zoning, the *City/Town* Council considered the character of the district and its peculiar suitability for the particular uses and found workforce housing to be generally suitable for the area because *[describe rationale in allowing type of development]*; and

WHEREAS, in considering and adopting the proposed zoning, the *City/Town* Council considered conserving the value of buildings and whether the zoning encouraged the most appropriate use of the land throughout the jurisdictional area and found that *[insert rationale for allowing this type of development]*; and

WHEREAS, after publishing adequate notice as required by statute and the applicable local regulations, pursuant to Section 76-2-303, the *[insert name of jurisdiction]* Planning

Board/Zoning Commission<sup>1</sup> held a duly noticed and posted public hearing on [insert date] regarding the proposed zoning district boundaries and appropriate regulations; and

WHEREAS, during that duly noticed and posted public hearing, the public had an opportunity to be heard regarding the proposed district boundaries and appropriate regulations, and, after considering such public comment, the Planning Board/Zoning Commission voted [in favor of/against] recommending adoption of the proposed zoning; and

WHEREAS, pursuant to Section 76-2-305, MCA, the City/Town Council received written protests to the amendment of the zoning district and/or to the zoning ordinance; and [Note: The protest provisions in this paragraph and the paragraph below only apply where existing zoning is to be amended.]

WHEREAS, the number of protests received was [insert percentage of protests received] of the total number of owners of the lots included in the area proposed for change, and from those lots or condominium units located within 150 feet of a lot included in the proposed change [Note: If the percentage of protests is 25% or more, a zoning amendment may not become effective except upon a favorable vote of two-thirds of the present and voting members of the City/Town council], therefore the number of protests received was insufficient to halt the enactment of the zoning;

NOW THEREFORE, in order to promote the public health, safety and general welfare of [insert name of jurisdiction], as more particularly set forth above in the preamble to this ordinance, the [insert name of jurisdiction] City/Town Council hereby adopts the zoning, with boundaries as published and regulations as set forth in Exhibit A attached hereto and incorporated herein, under the authority provided by Section 76-2-301, MCA, et seq., for the purpose of regulating the location and impacts of workforce housing in the municipality.

First Reading: [Insert month, day and year] Approved by a vote of [insert votes for, against and abstentions]

Second Reading: [Insert month, day and year] Approved by a vote of [insert votes for, against and abstentions]

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<sup>1</sup> A zoning commission, appointed by the governing body, is required to recommend the boundaries of original zoning districts and regulations to be enforced therein [76-2-307 MCA]. This body may also function as the planning board for other purposes, but the zoning commission must make a recommendation the first time zoning is established.

ADOPTED in a regular session of the Council of the [insert name of City or Town],  
Montana, this [insert date] day of [insert month and year].

Signature

\_\_\_\_\_

[Name and title of Mayor or presiding officer]

ATTEST:

Signature

\_\_\_\_\_

[Name of City or Town Clerk or other designated official]

## EXHIBIT A

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### Municipal Zoning for Workforce Housing Facilities

#### 1. Definitions

- A. *Administrator.* The person appointed by the [insert name of jurisdiction] City/Town Council who is responsible for carrying out the terms of this ordinance.
- B. *Applicant.* Applicant is a generic term used in this ordinance which means the owner of land on which a housing facility is proposed, the person or firm who proposes the facility and intends to run it, and/or their representatives.
- C. *Board of Adjustment.* A board appointed by the [insert name of jurisdiction] Council to hear and decide appeals and variances. (Sections 76-2-321 through 76-2-328, MCA.)
- D. *Certificate of Compliance.* A permit applied for by the developer and granted by the Administrator upon completion of all improvements required under this ordinance. This certificate signifies that all requirements of a conditional use permit have been met.
- E. *Conditional Use Permit.* A permit that may be granted by the [insert name of jurisdiction] City/Town Council after determining the proposed land use and application complies with the requirements of this ordinance, will be adequately served by public facilities and services and, either on its own merits or with the addition of conditions, sufficiently mitigates expected impacts to neighboring landowners.
- F. *Land Development Activity.* Includes, but is not limited to, the clearing, grading, excavation, construction, re-construction, change of occupancy, change of use, or building activity.
- G. *Workforce Housing Facility.* A housing facility serving more than two workers who are not related by blood, marriage, or adoption to the landowner, and that is designed and intended to be used for a specific period of time. A workforce housing facility may also be known / referred to as a man camp, crew camp, work camp or crew housing facility. Workforce housing facilities may include the use of skid units, travel trailers, recreational vehicles, campers, mobile homes, park models, modular homes or a combination of these.

#### 2. Workforce Housing Facilities Authorized

- A. Workforce housing facilities shall be permitted, upon review and approval of a conditional use permit application and after demonstrating compliance with these regulations, in [insert name of district(s)] zoning district(s) within the [insert name of jurisdiction].

**Note:** If no zoning exists, insert the name of the municipality and remove the words 'zoning district(s)' from the text above.

- B. A conditional use permit must be granted prior to any land development activity related to a workforce housing facility.
- C. All workforce housing facility units shall be limited for use consistent with the conditional use permit as reviewed and approved, and shall not be converted to any other use without prior approval by the governing body.
- D. A workforce housing facility conditional use permit is valid for up to two (2) years. Upon expiration of the permit, the applicant shall dismantle the facility and reclaim the site to its original state or more pristine condition in accordance with the approved site closure and restoration plan for the workforce housing facility. At least 30 days prior to the expiration date, the applicant may apply for renewal of the permit, subject to review under the rules in effect at that time.

### 3. Other Regulations

- A. In cases where the workforce housing facility is comprised of more than one building, structure or improvement, and individual facilities are proposed to be made available for rent, lease, sale or other form of conveyance, compliance with the *[insert name of jurisdiction]* Subdivision Regulations and the Montana Subdivision and Platting Act shall be required. Compliance with applicable subdivision requirements shall be concurrent with or follow conditional use permit review and approval. If a conditional use permit is issued for a workforce housing facility without compliance with the subdivision requirements, and the facility or any portion thereof is thereafter rented, leased, sold, or otherwise conveyed, penalties may be assessed (refer to Section 7 below).
- B. Water, wastewater, stormwater, and solid waste disposal facilities shall meet the requirements of the Montana Department of Environmental Quality (DEQ), the *[insert name of jurisdiction]* Health Department, and/or the Montana Department of Public Health and Human Services (DPHHS), as applicable.
- C. All site development shall comply with applicable floodplain requirements.
- D. State and *[insert name of jurisdiction]* building permits, as applicable, shall be obtained after a conditional use permit is granted pursuant to these regulations but prior to any land development activity.
- E. The applicant shall submit copies of all applicable permits to the Administrator prior to a certificate of compliance being issued.<sup>2</sup>

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<sup>2</sup> Note: Permits that may be applicable to a workforce housing facility include, but are not limited to: DEQ or DPHHS approval for water supply, wastewater treatment, solid waste, and stormwater runoff (or a municipal facilities exclusion); a DEQ stormwater pollution prevention plan permit (SWPPP); health department approval from DPHHS or County Health Department; state and local building permits; street/road encroachment permits; and wetland and stream construction permits *[insert others here as applicable to the local jurisdiction]*.

#### 4. Development Standards

A conditional use permit for a workforce housing facility shall not be approved by the City/Town Council unless the applicant proves the following development standards have been met or will be met prior to issuance of a certificate of compliance:

- A. An accessible, adequate, safe, and potable supply of water for domestic purposes shall be provided to the workforce housing facility, installed in accordance with all applicable state and municipal health codes and requirements.
- B. The workforce housing facility shall be properly connected to a wastewater treatment system designed and installed in accordance with all applicable state and municipal health codes and requirements. When a municipal sewer connection with the capacity to serve the facility is available, a connection shall be made thereto and used exclusively. Site-specific wastewater treatment systems shall be used where connection to a municipal system is not available.
- C. Solid waste collection and disposal for the workforce housing facility shall be provided by the applicant in locations that are screened from public view and are of sufficient capacity to accommodate the needs of the facility. Solid waste shall be collected weekly or more often and shall be disposed of in a manner approved by the governing body.
- D. Electricity and telephone utilities *[add other utilities as applicable; gas, cable, etc.]* shall be provided to the temporary workforce housing facility.
- E. The workforce housing facility shall have adequate emergency medical, fire protection, law enforcement and/or security services. The required level of services, including whether on-site services shall be provided, shall be determined by the City/Town Council through consultation with local service providers. Prior to the issuance of a conditional use permit, the applicant shall provide written confirmation of the availability and level of service from all applicable service providers.  
**Note: Local jurisdictions have the option to set specific level of services standards prior to adoption of this ordinance through consultation with local service providers.**
- F. A grading and drainage plan for the workforce housing facility shall be approved and implemented in accordance with DEQ Circular No. 8 – “Montana Standards for Subdivision Storm Drainage.”
- G. Legal and physical access shall be provided to the site, and direct physical access shall be provided to each structure on the property. All streets leading to and within the workforce housing facility must be designed by a licensed professional engineer and constructed to adopted *[insert name of jurisdiction]* municipal standards.
- H. Common laundry facilities shall be provided for the residents of the facility. The number of washers and dryers provided shall be proportional to the number and type of residents anticipated.

**Note:** Local jurisdictions may establish specific requirements for laundry facilities to be provided, as is reasonable and applicable to the proposed development, prior to adoption of this ordinance.

- I. All water, sewer, electricity, and telephone utilities provided to the workforce housing facility shall be undergrounded. No overhead utilities are permitted within or to the workforce housing facility site.

**Note:** Local jurisdictions may choose to require underground utilities based on the anticipated life of the facility, or whether the jurisdiction plans to transition the facilities to permanent uses.

- J. Adequate recreational facilities shall be provided to serve the expected number and types of residents. The type and scale of required recreational facilities shall be proportional to the number and type of residents anticipated.

**Note:** The governing body may establish specific thresholds and/or guidance on recreational facility requirements to include with the adoption of this ordinance. Examples of such facilities may include, but are not limited to park and open space areas; ball fields, ball courts, or other athletic amenities; indoor exercise or community meeting rooms, game rooms or similar.

- K. The following site design standards shall apply:
  - i. The minimum distance between any workforce housing facility unit is 15 feet;
  - ii. The minimum distance between any workforce housing facility unit and any internal street, right-of-way or access easement is 25 feet;
  - iii. The minimum distance between any workforce housing facility unit and any external property boundary or site boundary is 50 feet;
  - iv. Off-street parking shall be provided at a rate of one parking space (9' x 20') per bed for residents plus one per each employee (caretaker, on-site manager, etc.) on duty per shift. No on-street parking shall be permitted. One visitor parking space shall be provided for every 10 resident parking spaces.
  - v. A five (5) ft. minimum landscaped area shall be required along exterior boundaries of the workforce housing facility site to provide a visual buffer from adjacent off-site properties. Landscaping shall consist of rocks, shrubs, trees, or grasses that are native to the area and that require minimal maintenance; berming may be utilized to enhance the landscaped buffer, as appropriate. Non-metal fencing, not to exceed six (6) ft. in height, may also be incorporated in the landscape buffer areas.
  - vi. Internal streets and walkways shall be lit using light sources directed away from adjacent off-site uses, downward-facing, and screened appropriately so as to illuminate travel surfaces and addresses for emergency service providers but without encroaching upon the living units or adjacent off-site properties.



- vii. Each structure (and individual living unit, as applicable) shall have an address assigned by the local address coordinator, posted near an exterior entrance and large enough to be visible from the nearest roadway or access point to ensure emergency service personnel can locate a specific building or unit quickly and efficiently in the event of an emergency.
- L. All workforce housing facility units shall be anchored to the ground.
- M. No buildings or structures shall be older than **[insert number]** years on the day of installation.  
**NOTE: The local jurisdiction may require a minimum age for the facilities, or a requirement that it meet federal HUD manufactured home standards or state building code standards. Such standards must be related to a public health, safety, or general welfare concern that can be articulated by the local jurisdiction.**
- N. Enclosed porches, carports, awnings, room additions and similar additions and accessory structures are prohibited. Small, unenclosed entry decks are permitted, not to exceed 25 feet in floor area.
- O. Storage buildings are limited to a maximum of 100 square feet of floor area per workforce housing facility unit. If individual storage buildings are provided, only one storage building is permitted per unit and shall be located within 15 feet of the unit it serves.

## 5. Site Restoration and Security Required

- A. Upon expiration of the conditional use permit, or termination of use of the workforce housing facility, if earlier, the applicant shall restore the site to pre-development condition or a more pristine state in accordance with an approved site closure and restoration plan. Restoration shall include removal of all infrastructure and facilities including sewer, water, electrical, telephone, streets, and all site improvements, re-grading (as applicable), weed control, and planting and fertilization necessary to restore the site to pre-development or more pristine condition.
- B. Prior to obtaining a certificate of compliance, the applicant shall submit to the **City/Town** Council a restoration security, in the form of **[insert form of security to be required]**, that will cover the cost of restoring the site to pre-development or more pristine condition.
- C. The amount of the security shall be determined at the applicant's expense by an engineer licensed in the State of Montana who calculates the costs of implementing the site closure and restoration plan, including projected hours of labor for removal and restoration. The engineer shall submit for the **City/Town** Council's review all calculations and pricing based on current projected costs. The bond amount shall be in an amount of 125% of the engineer's total estimated costs. The **City/Town** Council

reserves the right to reject the engineer's calculations if it determines the estimated costs do not represent an accurate projection of the required work, costs and labor. The minimum amount of the security to be provided shall be as follows:

0-50 beds --	\$50,000
51-100 beds --	\$75,000
101-250 beds --	\$100,000
251-500 beds --	\$250,000
501 + beds --	\$350,000

- D. The amount of the security shall be reviewed and updated upon an application for renewal of the conditional use permit for the workforce housing facility.
- E. Prior to expiration of the conditional use permit, or termination of use of the workforce housing facility, the applicant may request the governing body's permission to prepare the site for an alternate use. Upon written approval of the governing body, and in compliance with all rules and regulations, the applicant shall make all preparations for alternate use prior to the governing body releasing the security.

## **6. Administration**

### **A. Application Submittal**

The applicant shall submit an application for a conditional use permit, an application for variance (if applicable), supplementary materials, and any permit fee(s) as established by the governing body, to the Administrator for review. Submittal materials shall include:

- i. A workforce housing facility site plan (one or more sheets) drawn to scale showing the location of:
  - a. property and site boundaries;
  - b. topographic contours;
  - c. surface waters and areas of high groundwater;
  - d. proposed on-site setbacks;
  - e. existing and proposed easements;
  - f. all utilities and connections;
  - g. fire protection, solid waste, grading, drainage, and stormwater facilities;
  - h. legal and physical access to the site and each structure;
  - i. proposed and existing on-site and adjacent off-site streets and roads, with applicable specifications;
  - j. required off-street parking;
  - k. landscaping, fences, lighting, and signage;



viii. A request for variance, if any, from one or more required development standard(s), security, or other conditions imposed.

B. Application Completeness and Sufficiency

Upon receipt of an application for a workforce housing facility conditional use permit, the Administrator shall determine whether the application contains all of the items required for review, with enough clarity and detail to allow the Administrator to determine compliance with this ordinance. The Administrator shall notify the applicant in writing of any deficiencies in the application and allow the applicant to supplement or revise the application materials.

C. Administrator Duties

i. The Administrator shall place a hearing of the proposed conditional use permit on the next agenda of the Planning Board/Zoning Commission for which these notice requirements can be met, and at which time will allow for its proper consideration. Notice of the hearing shall be provided as follows:

a. By first class mail, at least 15 days before the hearing, to all landowners within 150 feet of the property; and

b. By newspaper publication, at least 15 days before the hearing, one legal notice in the official newspaper.

ii. The Administrator shall prepare or contract for preparation of a report that describes the proposed workforce housing facility, its size, context and its compliance or failure to comply with the applicable requirements of this ordinance. In preparation of the report, the Administrator may seek input from departments with jurisdiction over the services to be provided to or by the applicant, including but not limited to law enforcement, fire, parks, sewer and water, streets, solid waste, and other departments, agencies, or service providers.

D. Zoning Commission Review and Recommendation

i. The Zoning Commission shall conduct a public hearing on the proposed workforce housing facility. At the hearing the Commission shall review the particular facts and circumstances of the proposal and develop findings and conclusions in support of its recommendation.

ii. If the Commission finds the application complies with the evaluation criteria [refer to (6)(E)(i) below] it shall recommend approval. If the Commission finds the application fails to comply and the application cannot be conditioned so as to sufficiently mitigate all anticipated impacts, it shall reject the application. Conditions may be attached to a recommendation in order to ensure compliance with this ordinance and to sufficiently mitigate anticipated impacts.

- iii. Following the Commission's recommendation, the Administrator shall forward a copy of the findings and recommendation to the Applicant and the City/Town Council.

E. City/Town Council Decision

- i. Evaluation Criteria. At a regularly scheduled public meeting, the City/Town Council may approve a conditional use permit for a workforce housing facility upon a finding that all of the following evaluation criteria are met:
  - a. The application and supplementary materials, as submitted or conditioned, comply with the applicable development standards of this ordinance and sufficiently mitigate the anticipated impacts on public health, safety, and general welfare;
  - b. Adequate facilities and services are available to serve the workforce housing facility;
  - c. The workforce housing facility is in substantial compliance with the Growth Policy;
  - d. The appearance of the workforce housing facility, in terms of the arrangement, height, scale, and design of the structures, location of parking areas, landscaping and other features, is compatible with the character of the area.

**Note:** *If a municipality has already adopted zoning containing conditional use permit criteria, the above criteria (a-d) should be amended to be consistent with what the municipality has already adopted.*

- ii. If the City/Town Council finds the application, as submitted or conditioned, fails to comply with any one of evaluation criteria set forth herein, the conditional use permit application shall be denied.
- iii. Within fifteen (15) days of the City/Town Council's decision, written notice of the decision shall be mailed to the applicant at the address shown upon the application. The decision may be appealed in accordance with subsection (G) of this ordinance. For the purpose of appeal, the decision shall be considered to be filed on the day it is postmarked.

F. Variance Process and Review Criteria

- i. Any variance requests submitted with an application for a workforce housing facility shall be decided by the Board of Adjustment/City or Town Council/Zoning Commission prior to the City/Town Council's decision on the conditional use permit.

**NOTE:** *The governing body may choose to adopt an additional fee for any review of a variance request. Additionally, the governing body may choose to retain the authority to grant variances as per 76-2-321, MCA instead of appointing a board of adjustment do so, or authorize another legislative body, such as the Zoning Commission, the right to do so.*

- ii. The Board of Adjustment/City or Town Council/Zoning Commission shall not approve a variance unless it finds that all of the following criteria have been met:
  - a. The hardship is due to the size, physical surroundings, shape, or topographical conditions of the property;
  - b. The hardship is peculiar to the property;
  - c. The hardship was not created by the applicant;
  - d. The hardship is not purely financial;
  - e. The variance requested is the minimum variance necessary to alleviate the hardship.
  - f. Granting the variance will not be detrimental to the public health, safety, or general welfare;
  - g. Granting the variance will not cause a substantial increase in public inconvenience or costs;
  - h. Granting the variance will not have the effect of nullifying the intent and purpose of these regulations;
  - i. Granting the variance will not adversely affect neighboring properties or the public; and
  - j. Granting the variance will not confer a special privilege that is denied other similar properties in the same district.
- iii. The applicant has the burden of proving that all of the criteria for obtaining a variance have been met.

**Note:** *If a municipality has already adopted zoning variance criteria, the above criteria (a-j) should be amended to be consistent with what the municipality has already adopted.*

G. Appeal

- i. Any person or persons, jointly or severally, aggrieved by any decision of the Board of Adjustment/City or Town Council/Zoning Commission and/or the City/Town Council on an application for a workforce housing facility conditional use permit, or any taxpayer or any officer, department, board, or bureau of the municipality, may present to a court of record a petition, duly verified, setting forth that the decision is illegal, in whole or in part, and specifying the grounds of the illegality. The petition must be presented to the court within 30 days after the filing of the decision in the office of the Board or City/Town Council.
- ii. Appeal procedures shall follow the process described in 76-2-327, MCA.

H. Certificate of Compliance

No workforce housing facility unit may be used or occupied until the Administrator has issued a Certificate of Compliance. The applicant may apply for and receive a Certificate of Compliance from the Administrator upon meeting the following conditions:

- i. all conditions of approval have been met;
- ii. all infrastructure has been appropriately installed and certified;
- iii. the required restoration security is in place;
- iv. a professional engineer licensed in the State of Montana has signed a Certificate of Improvements, certifying that all required improvements have been installed to required specifications; and
- v. a final maintenance and management plan has been submitted to the Administrator and placed on-site as specified therein.

## **7. Enforcement and Penalties**

- A. Any building, structure, or land erected, constructed, reconstructed, altered, repaired, converted, maintained, or used contrary to the provisions of these regulations shall be, and the same is hereby declared to be, unlawful.
- B. Upon learning of any violation of a conditional use permit issued hereunder, the Administrator shall notify the on-site manager and applicant of the violation by certified mail and/or posting on the site.
  - i. The notice shall describe the violation, cite the section of these regulations being violated, and request the responsible party to voluntarily comply within 30 days.
  - ii. The notice may include a “stop work order” that requires all non-corrective development to cease, states the specific development to be stopped, the specific reasons for the ordered stoppage, and the conditions under which development may resume. While a “stop work order” is in effect or until a violation is corrected, no permits or development approvals shall be granted for the property.
- C. Any person who receives a notice of violation may, within the 30 days allowed, request inspection by the Administrator to show that compliance has been attained or appeal the Administrator’s notice of violation to the governing body.
- D. If, after the 30 days for voluntary compliance has lapsed, compliance has not been attained or an appeal has not been filed, the Administrator shall request the City Attorney begin legal action against the landowner and any responsible party.
- E. Upon request by the Administrator, the City Attorney may immediately commence actions and proceedings for the abatement, removal, and enjoinder thereof in the manner provided by law; and shall take such other steps and shall apply to any court as may have jurisdiction to grant such reliefs as will abate or remove such building, structure, or use and restrain and enjoin any person, firm or corporations from erecting or maintaining such building or structure or using any property contrary to the provisions of this title.
- F. This enforcement process may be accelerated where the Administrator finds that public health and safety are endangered by a violation hereof.

G. Penalties

- i. A violation of this ordinance is a misdemeanor punishment by a fine not exceeding \$500, or imprisonment in jail not exceeding six months, or both.
- ii. The violation of any one provision herein is considered a separate violation, and each day in violation thereof shall constitute a separate, additional violation.
- iii. In addition to the penalties set forth herein above, any person who violates this ordinance may be required by court order to abate or remove any building, structure, or use in violation of these regulations or otherwise restore the property to its pre-existing condition.