

## **ARTICLE 14-23 PENALTY AND VIOLATION**

### **14-23-1 Penalty**

### **14-12-2 Violation**

#### **SECTION 14-23-1 PENALTY**

Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall, be guilty of a Class 1 misdemeanor with a minimum fine of \$25.00 for each offense. Plus plaintiff's attorney fees and court costs. Each day that a violation is permitted to exist shall constitute a separate offense.

#### **SECTION 14-23-2 VIOLATION**

In case any building or structure is constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure, or land is used in violation of this Ordinance, the Town, or any owner or tenant of real property in the same contiguous zoning districts as the building or structure in question, in addition to other remedies, may institute any appropriate action or proceeding.

1. to prevent the unlawful construction, reconstruction, alteration, repair, conversion, maintenance, or use.
2. to prevent the occupancy of the building, structure, or land.
3. to prevent any illegal act, conduct, business or use in or about the premises; or
4. to restrain, correct or abate the violation.

when any such action is instituted by an owner or tenant, notice of such action shall be served upon the municipality at the time suit is begun, by serving a copy of the complaint on the chief executive officer of the municipality. No such action may be maintained until such notice has been given.

In any such action or proceeding, the court with jurisdiction thereof has the power and in its discretion may issue a restraining order, or a preliminary injunction and enforce the purposes of this Ordinance.

If a permanent injunction is decreed in any such action proceeding, the court in its decree may, in its discretion, allow the plaintiff a reasonable sum of money for the services of the plaintiffs attorney. This allowance shall be part of the costs of the litigation assessed against the defendant, and may be recovered as such.