

## **CHAPTER 185**

### **ADMINISTRATION, ENFORCEMENT AND PENALTIES**

#### **Section 185-010      Application for Use Permit**

The Zoning Commission shall appoint the Zoning Enforcement Officer of the Town of New Milford. He/she shall have all of the powers, duties and responsibilities assigned to the Zoning Enforcement Officer by these regulations.

It shall be the duty of the Zoning Enforcement Officer, to enforce the provisions of these regulations.

The Zoning Enforcement Officer may institute any appropriate action or proceedings to prevent the unlawful erection, construction, reconstruction, alteration, repair or conversion of any building or structure, or the unlawful use of land to restrain, correct or abate such violations, to prevent the occupancy of said building, structure or land or to prevent any illegal act, conduct, business or use in or about the premises. Whenever such acts shall be in contradiction to the provisions of these regulations, penalties shall be as provided by the General Statutes

The Zoning Enforcement Officer shall require that the application for a permit, as required by Subsection 3 of this section, and the accompanying plot plan, shall contain all of the information necessary to enable him/her to ascertain whether the proposed building and/or use complies with the provisions of these regulations. The Zoning Enforcement Officer may waive the required submission of a plot plan for proposed construction involving a cost of less than one thousand dollars (\$1,000.), or if such plan is deemed unnecessary to determine compliance with these regulations. In the enforcement of these regulations, a zoning permit may be combined with a building permit, and a certificate of use and compliance with the certificate of occupancy, without in any way affecting the fee to be charged for each permit or certificate. All applications for a permit shall be accompanied by the following:

1. Plot plan in duplicate, drawn to a scale of at least one inch equals fifty feet (1"=50'), prepared by a Connecticut licensed land surveyor, showing the dimensions, radii and angles of lot, size and location of buildings built or to be built, driveways, the approximate locations of sanitary facilities and water supply.
  
2. After excavation and before the actual pouring of concrete for the foundation of any building or structure, the contractor or owner must have the Zoning Enforcement Officer check the premises to ascertain that the location of such foundation, or any part of the building to be erected thereon, will not encroach upon the established building lines or in any way violate any of the regulations. No permit shall be approved by the Zoning Enforcement Officer for any new construction until the applicant has accurately placed stakes or markers on the lot indicating the location of proposed construction. The Zoning Enforcement Officer may require the applicant to place stakes or markers on the lot indicating

the location of lot lines. The Zoning Enforcement Officer may require the placement of stakes or markers to be made and certified by either a land surveyor or engineer licensed to practice in the State of Connecticut. After the foundation is poured, and before construction proceeds, the applicant shall submit an as-built survey to the Zoning Enforcement Officer showing that the foundation is in complete compliance with the Zoning Regulations.

3. No land use shall be established or changed, except for farming and gardening purposes, and no new buildings shall be used or erected nor any existing building or structure be enlarged, changed in use, structurally altered, demolished, moved or remodeled, wholly or partly, and no excavation for any building, structure or use shall be made, until a permit therefor has been issued by the Zoning Enforcement Officer.

#### **Section 185-020      Duration of Use Permit**

A permit shall be void, if construction or use is not started within a period of eighteen (18) months, and shall expire thirty-six (36) months from the date of issue. The Commission for good cause may grant one (1) extension for an additional period, not to exceed twelve (12) months.

#### **Section 185-030      Pending Application for Building Permit**

Nothing herein contained shall require any change in the plans, construction, size or designated use of a building for which a building permit has been granted, or for which plans were on file with the Building Inspector before the effective date of these regulations, and the construction of which from such plans shall have been started within six (6) months of such date.

#### **Section 185-040      Certificate of Use Compliance**

No land shall be occupied or used, and no building hereafter erected, altered or changed in use, shall be occupied or used, in whole or in part, for any purposes, until a map showing as-is conditions has been submitted, prepared by a Connecticut licensed land surveyor at a scale of one inch equals fifty feet (1"=50'), showing lot boundaries, the location of buildings and accessory buildings, driveway, well, septic tank, water or sewer mains, as the case may be, and until a certificate of use and compliance shall have been issued by the Zoning Enforcement Officer, stating that the premises or building complies with all provisions of these regulations. A certificate of use and compliance shall be applied for at the same time as the zoning permit is applied for and, if approved by the Zoning Enforcement Officer, shall be issued within ten (10) days after notification from the permittee that the premises are ready for occupancy.