

**ARTICLE VI
ADMINISTRATION**

CHAPTER 6.02. ZONING OFFICIAL.

Section 6.02.01. Enforcing Officer.

The provisions of this Ordinance shall be administered and enforced by the Zoning Official appointed by the Board of County Commissioners, who shall have the power to make inspection of buildings or premises necessary to enforce this Ordinance.

Section 6.02.02. Duties.

The powers and duties of the County Zoning Official shall be as follows:

1. Issue all building permits and make and maintain records thereof.
2. Conduct inspections of buildings, structures, and the use of land to determine compliance with this Ordinance.
3. Notify in writing persons responsible for violations, indicating the nature of the violation and ordering action necessary to correct.
4. Order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures or of illegal additions; alterations or structural changes; discontinuance of any illegal work being done; or shall take any other action authorized by this Ordinance to ensure compliance with or to prevent violation of its provisions.
5. Revoke any building permit, which was unlawfully issued, or any building permit wherein defective work has been performed, and when such work has not been corrected within ninety (90) days of notification.
6. Maintain permanent and current records, in accordance with the State of South Dakota Record Retention, as adopted by resolution by the Brookings County Commission, of this regulation, including, but not limited to, all maps, amendments, variances, appeals, and applications.
7. Prepare all necessary documents as required by this Ordinance, or at the direction of the Brookings County Planning Commission and/or the Brookings County Board of Adjustment and/or the Brookings County Commission. The Zoning Official shall consult with the States Attorney's Office as needed for assistance with drafting said documents.
8. Provide public information relative to all matters arising out of this Ordinance.
9. Forward to the Brookings County Planning Commission all plats and/or applications for amendments to this Ordinance.

10. Forward to the Brookings County Board of Adjustment, applications for appeals, conditional use permits, variances, or other matters on which the Board of Adjustment is required to pass under this Ordinance.
11. Initiate, direct, and review, from time to time, a study of the provisions of this Ordinance, and to make such reports available to the Brookings County Planning Commission.
12. The Zoning Official shall receive applications required under this Ordinance, specifically but not limited to Building Permits, Conditional Use Permits, Variances, and Zoning Amendments.
 - a. For building permits, the Zoning Official shall approve the application only in accordance with the provisions of the County's Zoning Ordinance.
 - b. For Conditional Uses and Variances, the Zoning Official shall review the application, and shall make recommendations regarding said application to the Brookings County Board of Adjustment.
 - c. For Zoning Amendments, the Zoning Official shall review the application, and shall make recommendations regarding said application to the Brookings County Planning Commission and Board of County Commissioners.

Section 6.02.03. Right of Entry.

Whenever necessary to make an inspection to enforce any of the provisions of this regulation, or whenever the Zoning Official or an authorized representative has reasonable cause to believe there exists in any building or upon any premises a regulation violation, the Zoning Official or an authorized representative may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the Zoning Official by this Ordinance, provided that if such building or premises be occupied, they shall first present proper credentials and request entry; and if such building or premises be unoccupied, they shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If such entry is refused, the Zoning Official or an authorized representative shall have recourse to every remedy provided by law to secure entry.

When the Zoning Official or an authorized representative shall have first obtained a court order or other remedy provided by law to secure entry, no owner or occupant or any other persons having charge, care or control of any building or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the Zoning Official or an authorized representative for the purpose of inspection and examination pursuant to this regulation.

Section 6.02.04. Stop Order.

Whenever any work is being done contrary to the provisions of this Ordinance, the Zoning Official may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the Zoning Official to proceed with the work.

Section 6.02.05. Occupancy Violation.

Whenever any building or structure regulated by this Ordinance is being used contrary to the provisions of this Ordinance, the Zoning Official may order such use discontinued and the structure, or portion thereof, vacated by notice served on any person causing such use to be continued. Such persons shall discontinue the use within the time prescribed after receipt of such notice to make the structure, or portion thereof, comply with the requirements of this Ordinance.

In the event of a violation or a threatened violation of these regulations or restrictions, the Board of County Commissioners or any member thereof, in addition to other remedies, may institute an appropriate action or proceeding to seek an injunction in a court of competent jurisdiction to prevent, restrain, correct or abate such violation or threatened violation, and it is the duty of the State's Attorney to institute such action.