

Section 18

INTERPRETATION: PURPOSE AND CONFLICT

In interpreting and applying the provisions of this Zoning Code, they shall be held to be the minimum requirements for the promotion of the safety, health, convenience, comfort, prosperity and general welfare. It is not intended by this Zoning Code to interfere with, abrogate, annul or repeal any ordinance, rules or regulations previously adopted and not in conflict with any of the provisions of this Zoning Code or which shall be adopted, pursuant to law relating to the use of buildings or premises, nor is it intended by this Zoning Code to interfere with or abrogate or annul any easements, covenants or other agreements between parties, except that where this Zoning Code imposes a greater restriction upon the use of buildings or premises or upon the height of buildings or requires larger open spaces than are imposed or required by such other ordinances or such easements, covenants or other agreements, the provisions of this Zoning Code shall control.

Section 19

FEES

Fees pertaining to petitions or applications for zoning text or map amendments, special use permits, certificates of compliance, planned developments, variations and for appeals to the Commission shall be established by action of the City Council from time to time (see Chapter 20 of the Marengo Municipal Code). Such fees shall be due and payable to the City at the time of filing of an application or petition. The petitioner or applicant shall, in addition to such fees, bear the City's cost of preparing and publishing the public notice, bear the cost of preparing, copying or printing, and distribution of all documents and drawings necessary for review of the petition or application by the City, recording and filing of ordinances or documents when such publication, recording or filing is required, and bear the cost of all fees and expenses incurred by the City, including but not limited to fees charged by a professional land consultant, attorneys' fees and engineers' fees, when those fees are incurred by the City regarding any petitions or applications heard by the Commission.

Section 20

VIOLATIONS: 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 Zoning Code shall be fined not less than \$50.00 nor more than \$1,000.00, plus the City's cost of prosecution including reasonable attorney's fees, for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

Section 21

VALIDITY

Should any section, clause, or provision of this Zoning Code be declared by the courts to be invalid, the same shall not affect the validity of the Zoning Code as a whole or any part thereof, other than the part so declared to be invalid.

Section 22

WHEN EFFECTIVE

This Zoning Code is hereby declared to be urgent and necessary for the immediate preservation of the public peace, health, and safety, and shall be in full force and effect from and after its due passage, approval, and recording and publication as provided by law .

PASSED by the City Council and approved by the Mayor this 26th day of August, 2002.

pjh:Marengo.Zone\Section18to22.end