Article VIII: Enforcement

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A. Penalties

Any person violating any provision of this ordinance shall be fined upon conviction, not less than twenty-five dollars ($25.00) nor more than two hundred fifty dollars ($250.00) and court costs for each offense. Violation of any provision of this ordinance may also be punished by issuance of municipal offense ticket as provided by Chapter 10 of the Fairhope Code of Ordinances.

B. Remedies

In case any building or structure is erected, constructed, reconstructed, altered, or converted, in violation of this ordinance, the building inspector, legal officer, or other appropriate authority or any adjacent or neighboring property owner who would be specially damaged by such violation may, in addition to other remedies, institute injunction, mandamus, or other appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance, or use; or to correct or abate such violation; or to prevent the occupancy of the building, structure, or land. Each and every day such unlawful erection, construction, reconstruction, alteration, conversion, maintenance, or use continues shall be deemed a separate offense.

C. Appeal

If, after notification of a zoning violation the individual or corporation elects to apply for a zoning variance, the applicant must complete all notification requirements of the variance application process within ten (10) business days of notification of the violation. Written notification of the proposed variance shall be postmarked to the required surrounding property owners within ten (10) business days and in addition, such other public notification as required shall have been provided by the applicant. Should the applicant be unable to comply with this provision he shall provide a written explanation through the building inspector to the Board of Adjustments. Failure to do either shall be interpreted as a withdrawal of the appeal and shall subject the applicant to immediate compliance with this ordinance.