

ARTICLE VI.

ADMINISTRATION AND ENFORCEMENT

Section 600 Intent

It is the intent of these Regulations that all questions arising in connection with the enforcement or the interpretation of these Regulations (except as otherwise expressly provided herein) shall be first presented to the Zoning Enforcement Officer, who may confer with the Commission, and that such questions or actions shall be presented to the Zoning Board of Appeals only on appeal from the Zoning Enforcement Officer, and that from the decisions of the Zoning Board of Appeals, recourse may be taken to the courts as provided by law.

Section 610 Enforcement Officer

These regulations shall be enforced by the Zoning Enforcement Officer, who shall be appointed in accordance with the Killingly Town Charter subject to the supervision and appropriate direction of the Planning and Zoning Commission and/or the Director of Planning & Development. The Zoning Enforcement Officer is authorized to cause any building, structure, premise or use to be examined and to order in writing the remedying of any condition found to exist in violation of any provision of these regulations. The Enforcement Officer shall review with the Commission any action of his which is disputed.

In the absence of the Zoning Enforcement Officer, the Director of Planning and Development shall be authorized to act in the capacity of Zoning Enforcement Officer. In the absence of the Zoning Enforcement Officer and the Director of Planning and Development, Planner I shall be authorized to act in the capacity of the Zoning Enforcement Officer. In the absence of the Zoning Enforcement Officer, Director of Planning and Development and Planner 1, the Chairman of the Planning and Zoning Commission shall be authorized to act in the capacity of the Zoning Enforcement Officer. Where in the opinion of the Zoning Enforcement Officer the Director of Planning and Development is more familiar with a particular Zoning Permit Application, or similarly, the Director of Planning and Development is more familiar with a particular Zoning Violation, the Zoning Enforcement Officer may authorize the Director of Planning and Development to act in the capacity of the Zoning Enforcement Officer. (Amend. of 3 -19-18)

Section 610.1 Reasonable Accommodation

The Zoning Enforcement Officer may provide a Reasonable Accommodation for applicants' seeking relief from a Zoning Regulation under, Fair Housing Act (FHA) and / or American with Disabilities Act (ADA). The Reasonable Accommodation will be written per the applicant, and shall expire when the applicant no longer needs such accommodation. The purpose of such accommodation will be to grant a person a modification or exception from zoning laws when such accommodations may be necessary to afford a person with a disability an equal opportunity to use and enjoy a dwelling, property, business, etc. (Amend. of 3 -19-18)

Section 610.2 Reasonable Accommodations – Application

A request for Reasonable Accommodation may be made by any person with a disability, the person's representative, or any entity, when such accommodations may be necessary to afford a person with a disability an equal opportunity to use and enjoy a dwelling, property, business, etc. (Amend. of 3 -19-18)

Request for Reasonable Accommodation shall be submitted in writing to the Planning and Development Office for review by the Zoning Enforcement Officer. (Amend. of 3 -19-18)

A Zoning Permit shall also be applied for any work or modifications to the property that would require a Reasonable Accommodation. The applicant may request a fee waiver, which may be granted at the discretion of the Zoning Officer. (Amend. of 3 -19-18)

Section 610.3 Reasonable Accommodation – Issuance

The Reasonable Accommodation will be granted to the applicant, and shall expire when the applicant no longer requires or needs such accommodation. At such time any work or modifications to the property that required the Reasonable Accommodation shall be dismantled within 30 days. An example of this would be a handicap ramp inside a setback no longer being used by the person who was issued the Reasonable Accommodation. A Reasonable Accommodation is granted to an applicant not to the property. (Amend. of 3 -19-18)

Section 620 Zoning Permit Required

No land shall be used (except for agricultural purposes) and no building or structure shall be used, erected, moved enlarged, or structurally altered, and no building permit shall be issued until a zoning permit for the proposed work or use has been issued by the Zoning Enforcement Officer. A Zoning Permit is not required for repairs or alterations to existing buildings or structures, provided that such work does not increase the floor area of any building or structure and does not change the actual use thereof. A Zoning Permit shall also be required for signs as specified in Section 540. (See Article III, Definitions, "actual use"), and satellite dish antennas (See Article III, Definitions, "accessory use"). (Amend. of 2-10-86, § 6)

Section 620.1 Applications

An application for a permit shall be filed with the Zoning Enforcement Officer in triplicate on a form to be provided by the Commission. For new buildings or structures or changes increasing the floor area of an existing building or structure, the application shall include a site plan of the premises showing the location and size of existing and proposed buildings, structures, driveways, and parking, dimensions of the lot, setbacks, wetlands, and watercourses. Other information may be required by the Enforcement Officer to determine that the proposed project complies with the Regulations.

Section 620.2 Time limits

A permit shall be void if the work described therein is not commenced within a period of one year from the date of issue and diligently prosecuted to completion.

Section 620.3 Structures to have access

Every building hereafter erected or moved shall be on a lot with frontage on an accepted public street, a proposed public street, or an approved private street or shall have an unobstructed access strip in fee simple (an unobstructed easement of access or an unobstructed right-of-way are acceptable substitutes) not less than fifty (50) feet in width to an accepted public street, a proposed public street, or an approved private street, provided no more than two (2) principal buildings shall use such access strip. No two (2) or more access strips, serving interior lots, shall abut each other. (Amend. of 7 -13-81)

Section 630. Violations

Any person, firm or corporation violating any provision of these regulations shall be subject to the remedies and penalties prescribed by the Connecticut General Statutes as amended.