TOWN OF CLEAR LAKE INDIANA – ORDINANCE NO. 2026-05

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN OF CLEAR LAKE INDIANA 2009-04, AS AMENDED

WHEREAS, the Town of Clear Lake, Indiana, is a municipal corporation organized and existing under the laws of the State of Indiana; and

WHEREAS, the Town of Clear Lake adopted a Unified Development Ordinance ("UDO") by Ordinance 2009-04 and has subsequently amended that ordinance pursuant to Indiana Code and the authority vested in municipalities to regulate land use and zoning; and

WHEREAS, the UDO of the Town of Clear Lake provides for the development standards in specific zoning districts within the town; and

WHEREAS, the Plan Commission of the Town of Clear Lake has conducted a review of the UDO and recommends to the Town Council certain amendments to the text of the UDO to promote the orderly growth and to protect the public health, safety and welfare of the community; and

WHEREAS, the Plan Commission held a legally advertised Public Hearing on October 6, 2026 in accordance with the requirements of Indiana Code§ 36-7-4 *et. seq.* and the Town's Unified Development Ordinance; and

WHEREAS, the Plan Commission certified the proposed UDO text amendment after the Public Hearing, and has now recommended approval of the proposed UDO text amendment; and

WHEREAS, the Town Council of the Town of Clear Lake ("Town Council") has considered the recommendation of the Plan Commission and the needs of the community, and has determined that it is in the best interest of the Town of Clear Lake to amend the text of the UDO as proposed.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CLEAR LAKE, INDIANA, AS FOLLOWS:

SECTION 1. Amendments to the Unified Development Ordinance.

1.1 Section 9.05 (G)(3) shall be and is hereby repealed and replaced with the following language:

> 3. *Expiration*: After an Improvement Location Permit is issued, the project shall be completed within twelve (12) months. Improvement Location Permits that exceed the twelve (12) month timeframe shall apply for an Improvement Location Permit Extension with the Zoning Administrator. Extensions may be made in six-month increments with a

limit of three (3) extensions with applicable fees paid per the Town of Clear Lake fee schedule.

1.2 Section 9.05(H) Modification After Issuance of an Improvement Location Permit shall hereinafter be enumerated as Section 9.05(I).

1.3 Section 9.05(H) As-Built Survey shall be added to replace the former 9.05(H) to include the following language:

H. As-Built Survey: An as-built survey shall be required for projects receiving an Improvement Location Permit for structures to be constructed on a new or modified foundation or other projects as determined by the Zoning Administrator.

1. *Foundation Notification*: An applicant shall notify the Zoning Administrator when the foundation pour occurs.
2. *Timing*: An as-built survey, signed and stamped by a licensed surveyor or engineer shall be provided to the Zoning Administrator within thirty (30) days of the foundation pour. The as-built survey shall illustrate the foundation complies with all applicable setbacks.

1.4 Section 9.05(J) Certificate of Completion shall be added to include the following language:

J. Certificate of Completion: The applicant shall notify the Zoning Administrator when the project is complete for the final zoning compliance check, issuance of Certificate of Completion, and closeout of the Improvement Location Permit.

1.5 Section 10.01(F) shall be and is hereby repealed and replaced with the following language:

F. Non-compliance with Approvals: Fail to fully comply with procedural requirements, payment of fees, conditions, notifications, inspections, as-built survey submission, enforceable covenants, or commitments associated with any approval; or

SECTION 2. Incorporation Into Unified Development Ordinance. The amendment set forth in this Ordinance shall be incorporated into and made part of the Unified Development Ordinance of the Town of Clear Lake, Indiana.

SECTION 3. Severability. If any section, provision, or part of this ordinance is judged to be invalid or unconstitutional by a court of competent jurisdiction, such judgement shall not affect the validity of the remainder of this Ordinance, which shall continue in full force and effect.

SECTION 4. Ratification. The remaining provisions of UDO Section 9.05 and Section 10.01 are hereby ratified and approved as amended.

SECTION 5. Effective Date. This Ordinance shall be in full force and effect upon its adoption and publication as required by law.

PASSED AND ADOPTED by the Town Council of the Town of Clear Lake, Indiana, this 20th day of October, 2026.

Bert Elliott
Board Member

Dan Rippe
Board Member

George Schenkel
Board Member

Brent Schlosser
Board Member

Molly Weber
Board Member

Attest:

Nathan Striker
Clerk-Treasurer

CERTIFICATION OF TEXT AMENDMENTS TO UNIFIED DEVELOPMENT ORDINANCE

On October 6, 2026, the Town of Clear Lake Plan Commission met in a special meeting, discussed proposed text amendments to the Unified Development Ordinance, and held a Public Hearing on proposed text amendments to the Unified Development Ordinance. The proposed text amendments are attached hereto as Exhibit A illustrated as highlighted-lined changes internally noted as

- UDO 2026-02
- UDO 2026-03
- UDO 2026-04

The text amendments attached hereto as Exhibit A are hereby certified with a favorable recommendation for adoption on this 6th day of October, 2026 by the Town of Clear Lake Plan Commission.

Bert Elliott *Plan Commission President (Print Name)*	 *Signature*	10/16/2026 Date
Amy Schweitzer *Zoning Administrator (Print Name)*	 *Signature*	10/15/2026 Date

EXHIBIT A

Improvement Location Permit

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9.05 Improvement Location Permit

A. Applicability: An Improvement Location Permit shall be required prior to permanent construction, installation, addition, alteration, or relocation of a structure; prior to permanent alteration to the land; and prior to establishment of a new land or change an existing land use. The following are **examples** of projects necessitating an Improvement Location Permit process:

1. Constructing, altering, or modifying a house or cottage
2. Constructing, altering, or modifying an accessory structure (e.g. garage, carport, shed, pool house)
3. Altering or modifying a structure's height, roof pitch, or massing (e.g. adding a dormer)
4. Constructing or modifying impervious surfac (e.g. driveway, sidewalk, patio)
5. Installing a swimming pool
6. Installing, altering, or modifying a fence
7. Constructing, altering, or modifying a deck or retaining wall
8. Installing a permanent sign
9. Constructing a pond
10. Outdoor mechanical equipment
11. Home Business

B. Exemption from Improvement Location Permit: This exemption is only from having to obtain an Improvement Location Permit. It is not an exemption from having to meet all applicable regulations in this Unified Development Ordinance. Any project exempt from having to acquire an Improvement Location Permit that is in violation of this Unified Development Ordinance is subject to *Article 10: Enforcement and Penalties*. The following projects are exempt from having to obtain an Improvement Location Permit.

1. *Agriculture*: An agricultural related accessory structure is exempt from obtaining an Improvement Location Permit.
2. *Landscaping and Hardscaping*: Installing trees, shrubs, plants, and flowers; applying mulch or soil enhancers; raising of planting beds around foundations; and installing accent hardscaping (e.g. stone steps, stone edging, or small retaining walls) is exempt from obtaining an Improvement Location Permit as long as there is no adverse effect to drainage or the clear side yard setback (SB-03: Lake Residential Setback Standards 5.65 (B).
3. *Sign Content Change*: Sign content may be changed without having to receive an Improvement Location Permit.
4. *Flag Pole*: Flag poles may be installed without obtaining an Improvement Location Permit.
5. *Play Set*: Playsets that do not project more than ten (10) feet off the ground, do not utilize more than seventy-five square feet in area, and do not include any roof or wall features may be installed without obtaining an Improvement Location Permit.
6. *Home Business:* Home businesses may commence without obtaining an Improvement Location Permit.
7. *Property Maintenance*: Maintenance and repairs to the existing structure or site features may commence without obtaining an Improvement Location Permit. Outdoor mechanical equipment shall not be exempted by this provision.
8. *Adding or Changing Light Fixtures*: Light fixtures may be added or changed without obtaining an Improvement Location Permit.
9. *Decorative Fences*: Decorative fences as described in Section 5.23(B)(2): Decorative Fence Permit Exemption and as defined may be installed without obtaining an Improvement Location Permit.

C. Cross Reference:
1. *Building Permit*: An Improvement Location Permit does not authorize compliance with building codes. Concurrent to having a project reviewed for compliance with this Unified Development Ordinance most projects with any type of building will also have to be reviewed for compliance with the Building Code.
2. *Site Improvement Permit*: An Improvement Location Permit does not authorize compliance with the Town's Stormwater Management Ordinances. Concurrent to having a project reviewed for compliance with this Unified Development Ordinance most projects will also have to be reviewed for compliance with the Stormwater Management Ordinance.
3. *Other Permits*: An Improvement Location Permit does not authorize compliance with any County, State or Federal Permits. It is the responsibility of the property owner to acquire any other required permits prior to making any improvement.
4. *Clear Side Yard*: See Section 5.65(B): Clear Side Yard for further limitations on placement of landscaping.
5. *Town Ordinance Title V*: Public Works, Chapter 51: Sewers, 51.59 (H) Grinder Pump Station Accessibility for further limitations on placement of landscaping.
6. *Parking*: Parking within the Town of Clear Lake shall comply with Town of Clear, Indiana Code of Ordinances Title VII: Traffic Code Chapter 72: Parking Regulations paragraph 72.02 Regulations on Roads and Streets

D. Prerequisites:
1. *Administrative Subdivisions*: Any lot being used in combination with an adjacent lot shall first complete the Administrative Subdivision process, *Section 9.17: Subdivision of Land; Administrative*, if in an applicable zoning district, and if the project includes a new primary structure, an addition to the primary structure, a new occupiable accessory structure, an addition to an occupiable accessory structure, a new storage-based accessory structure, or an addition to a storage-based accessory structure.
2. *Sewer Connections*: In projects where a new sanitary sewer connection is necessary, written approval of the new connection from the Town Council shall be required prior to an Improvement Location Permit being issued.
3. *Construction Parking*: Four (4) off- street parking spaces for construction vehicle parking shall be identified prior to an Improvement Location Permit being issued and a figure or equivalent designating the location of approved construction parking spaces shall be posted in the same area as the approved ILP. Construction parking shall not be located on the street, but may be located on adjacent properties with permission from the property owner. Contractors shall be required to keep the street free of construction vehicles, mud, dirt, and other debris for the duration of the project. The Zoning Administrator shall have discretion to waive this prerequisite for small projects.

E. Filing Requirements:
1. *Application*: Application for an Improvement Location Permit shall be made on a form provided by the Zoning Administrator. The following information shall be provided on the application form.
   a. Property owner's name, mailing address, phone number and/or email address.
   b. Applicant's name, mailing address, phone number, and/or email address, if different than owner.
   c. Written detailed description of the proposed project.
   d. Date submitted and signed.
   e. Signature of the applicant, testifying that they are authorized to represent the property.
   f. Any other information requested on the application form.
2. *For Permanent Construction, Installation, Addition, Alteration, or Relocation of a Structure*: The following supporting information, as applicable, shall be provided on a site plan, application form, or as an attachment.
   a. Projects involving non-inhabitable structures not mounted on a permanent foundation.
      i. A drawing of the parcel with dimensions.
      ii. The building envelope (i.e. the resulting developable area after applying setbacks).
      iii. The location of existing structures (e.g. home, garage, sidewalk, or driveway).
      iv. The location of the proposed structure.
      v. A calculation of the existing lot coverage, expressed in a percentage.
      vi. A calculation of the lot coverage as it would be upon completing the project, expressed in a percentage.

vii. An affidavit stating the proposed project is not located within a floodplain or easement. (e.g., Sewer Grinder, etc.).
viii. Denotation of the location of canopy trees required by 5.38 Landscaping pg. 5-34.

b. Flatwork projects.
   i. A scale drawing of the parcel with dimensions.
   ii. The location of primary structures.
   iii. Location of the proposed flatwork.
   iv. An affidavit stating the proposed project is not located within an easement. (e.g., Sewer Grinder, etc.).
   v. If the Zoning Administrator suspects the intended site for flatwork to be a wetland, the Zoning Administrator may request a determination by a soil scientist as to whether a wetland exists.

c. Projects involving non-inhabitable structures mounted on a permanent foundation.
   i. All requirements of *Section 9.05(E)(3)(a): Applicability.*
   ii. A scale drawing of the parcel with dimensions prepared and stamped by a registered land surveyor.
   iii. Existing adjacent rights-of-way, street easements or alley easements, and the name of the street or alley if applicable.
   iv. Easements (e.g., Sewer Grinder, etc.) on the parcel or easement adjoining to the parcel, including the name of the easement holder and a description of the terms of the easement.
   v. Denotation of any existing structure on adjacent parcels if within twenty (20) feet of the subject parcel's property line.
   vi. If the Zoning Administrator suspects the intended site of a non-inhabitable building to be a wetland, the Zoning Administrator may request a determination by a soil scientist as to whether a wetland exists.
   vii. Denotation of the location of canopy trees required by 5.38 Landscaping pg. 5-34

d. Projects involving inhabitable buildings.
   i. All requirements of *Section 9.05(E)(3)(a): Applicability.*
   ii. A scale drawing of the parcel with dimensions prepared and stamped by a registered land surveyor.
   iii. Denotation of the location of mature trees, greater than nine (9) inches in caliper.
   iv. Elevation above sea level at the location of the project prior to alteration of land.
   v. If the Zoning Administrator suspects the intended site of an inhabitable building to be a wetland, the Zoning Administrator may request a determination by a soil scientist as to whether a wetland exists.
   vi. Denotation of adjacent zoning districts if different than the subject parcel.
   vii. Location of existing or proposed drainage tile.
   viii. Denotation of where utilities lines will be run to the building and whether they are above or below grade.
   ix. Location of a septic system, well, geothermal loop, or other on-site utility system.
   x. Denotation of any existing structure on adjacent parcels if within fifty (50) feet of the subject parcel's property line.
   xi. Easements (e.g., Sewer Grinder, etc.) on the parcel, including the name of the easement holder.
   xii. Denotation of the location of canopy trees required by 5.38 Landscaping pg. 5-34

e. Complex or Unique Projects: The Zoning Administrator may require any additional information if reasonably necessary to determine if a complex or unique project complies with the provisions of this Unified Development Ordinance.

f. Site Survey: The Zoning Administrator may allow for submittal of a scale drawing rather than a scale drawing prepared and stamped by a registered land surveyor in cases where a surveyor's drawing is not relevant to the project compliance. If such discretion is exercised, the Zoning Administrator shall document the rationale for the exercise of that discretion.

3. *For Permanent Alteration to the Land*: The following supporting information, as applicable, shall be provided on a site plan, application form, or as an attachment.
   a. Applicability: Projects that involve disturbing (e.g. altering drainage or relocating dirt on-site) more than five percent (5%) of a parcel's area on a parcel less than five (5) acres in area, or disturbing any portion of a site greater than five (5) acres, or a project which results in more than 300 cubic yards of soil being disturbed (cumulative of soil added from one area and soil removed from another, not the net of soil added and removed) shall provide the following.
      i. A scale drawing of the parcel with dimensions prepared and stamped by a registered land surveyor or engineer.
      ii. The location of existing structures (e.g. building, sidewalk, or driveway).
      iii. Denotation of existing mature trees, greater than nine (9) inches in caliper.
      iv. Denotation of floodplains, wetlands, rock formations, karst, natural lakes, streams, regulated drains, retention ponds, detention ponds, known drainage tile, inlets, outlets, monuments or markers, and drainage swales on the parcel and within seventy-five (75) feet of the parcel's property lines.
      v. If the Zoning Administrator suspects the intended site to be a wetland, the Zoning Administrator may request a determination by a soil scientist as to whether a wetland exists.
      vi. Two-foot contour lines of the existing parcel.
      vii. Two-foot contours showing the parcel's contours as it would be upon completing the proposed project.
      viii. Erosion control methodology, devices, locations, and maintenance strategy.
      ix. Drainage evaluation of the existing parcel and as it would be upon completion of the proposed project with a characterization of the change to drainage onto adjacent properties, into drainage tile, or into surface water ways.
      x. Design cross-section of recreation ponds.
4. *For Installation of Outdoor Mechanical Equipment*: The following supporting information shall be provided on a site plan, application form, or as an attachment.
   a. A drawing of the parcel with dimensions.
   b. Location of primary structures.
   c. Location of proposed outdoor mechanical equipment.
5. *For Establishment of a New Land Use or Change to an Existing Land Use*: The following supporting information shall be provided on a site plan, application form, or as an attachment.
   a. Description of the proposed new land use or change to an existing land use.
   b. Detailed description of how the new or changed in land use will affect parking, average daily trips, currier service, building alterations inside and outside, use of outdoor areas, use of accessory structures, and number of employees.
6. *Deadline*: Applications for an Improvement Location Permit may be filed any time.
7. *Fees*: Applicable fees shall be paid at the time the application for an Improvement Location Permit is filed. Fees shall include reimbursement for any cost borne by the Plan Commission or Zoning Administrator to hire a professional engineer, professional planner, or other professional technician necessary to subsidize the Zoning Administrator's capabilities for review of the application or proposed project.

F. Permit Procedure:

1. *Substantially Complete Application*: An application for an Improvement Location Permit shall not be reviewed for approval until it is determined to be substantially complete by the Zoning Administrator. The Zoning Administrator must first verify that the application form and required supplemental information has been submitted correctly, and the applicable application fee is paid.
2. *Review the Project's Compliance*: After the application is verified as being substantially complete, the Zoning Administrator shall review the project to determine whether it complies with this Unified Development Ordinance. The Zoning Administrator may consult with any other person, department, or group to determine if the project complies with all of the provisions of this Unified Development Ordinance. During the review process, the Zoning Administrator may:
   a. Request Additional Information: During the process of rendering a decision, the Zoning Administrator may request additional information to be added to the site plan, application form, or attachments.
   b. Exercise Discretion: Some provisions within this Unified Development Ordinance allow the Zoning Administrator to apply discretion to a decision. If such discretion is exercised, the Zoning Administrator shall describe the decision and cite the authority for that discretion.
   c. Interpret this Unified Development Ordinance: Because this Unified Development Ordinance cannot address every possible unique situation, project features, or land use, the Zoning Administrator shall interpret the intent of this Unified Development Ordinance when not specifically addressed.
3. *Render a Decision*: The Zoning Administrator shall render a "decision to deny" or "decision to approve" based on the information submitted, project review, discretion exercised, and interpretations made.
4. *Issuing an Improvement Location Permit*: If the proposed project complies with this Unified Development Ordinance, the Zoning Administrator shall render a decision to approve, document the terms of the approval on the permit, and then issue an Improvement Location Permit. The Zoning Administrator shall send the adjacent property owners a courtesy notice indicating an Improvement Location Permit had been issued, a brief description of the project approved, and notice that an appeal period applies.
5. *Decision to Deny*: If the proposed project does not comply with this Unified Development Ordinance, the Zoning Administrator shall not issue an Improvement Location Permit. The Zoning Administrator shall internally document the reasons for not issuing an Improvement Location Permit and send that information to the applicant by email or U.S. Mail, or by telephone. If an email is used to communicate denial, documentation that the email was received shall be included in the file. Similarly, if a phone call is used to communicate denial, documentation of the phone call shall be included in the file. If a proposed project does not comply with this Unified Development Ordinance, the applicant may promptly revise the application, or may promptly pursue relief from this Unified Development Ordinance.
6. *Allowance for Revision Prior to a Decision*: At the discretion of the Zoning Administrator, the applicant may be permitted to modify the site plan, application form, or attachments prior to a decision by the Zoning Administrator.
7. *Allowance for Revision After a Decision*: After a decision to deny, the applicant may promptly revise the site plan, application form, or attachment in order to comply with this Unified Development Ordinance without terminating the process.
8. *Pursuit of Relief*: After a decision to deny, the applicant may promptly pursue an administrative appeal, variance from development standards, or variance of use. During an appeal for relief, the application for Improvement Location Permit shall be suspended until the Board of Zoning Appeals rules on the matter.

UDO 2026-02

G. Duration:
1. *Procedural Expiration*: An application shall expire and be void after the applicant is notified of a decision to deny unless the applicant makes revisions to the application or pursues relief from the Board of Zoning Appeals within ninety (90) days from notification.
2. *Commencement*: After an Improvement Location Permit is issued, the project shall commence within three (3) months.
3. *Expiration*: After an Improvement Location Permit is issued, the project shall be completed within twelve (12) months. Improvement Location Permits that exceed the twelve (12) month timeframe shall apply for an Improvement Location Permit Extension with the Zoning Administrator. Extensions may be made in six-month increments with a limit of three (3) extensions with applicable fees paid per the Town of Clear Lake fee schedule.

UDO 2026-03

H. As-Built Survey: An as-built survey shall be required for projects receiving an Improvement Location Permit for structures to be constructed on a new or modified foundation or other projects as determined by the Zoning Administrator.
1. *Foundation Notification*: An applicant shall notify the Zoning Administrator when the foundation pour occurs.
2. *Timing*: An as-built survey, signed and stamped by a licensed surveyor or engineer shall be provided to the Zoning Administrator within thirty (30) days of the foundation pour. The as-built survey shall illustrate the foundation complies with all applicable setback standards.

I. Modification After Issuance of an Improvement Location Permit: At the discretion of the Zoning Administrator, an Improvement Location Permit may be modified if:
1. Warranted: Warranted due to discoveries during construction or other significant finding, and
2. Requested Prior to Initiation: Requested prior to permanent construction, installation, addition, alteration, or relocation of a structure; prior to permanent alteration to the land; and prior to establishment of a ne land use or change to an existing land use.

or if:

3. Warranted: Warranted due to discoveries during construction or other significant finding, and
4. Component is Not Completed: Requested prior to the applicable component of the project has been completed, and
5. Not Correcting a Violation: The modification is not an attempt to correct a violation.

If a modification is permitted, the Zoning Administrator shall request any necessary information, shall review the modification for its compliance to this Unified Development Ordinance, and then render a decision. If the proposed modification meets the provisions of this Unified Development Ordinance the Improvement Location Permit may be amended and filed. If denied to be considered or denied for non-compliance, the modification shall be disallowed.

UDO 2026-04

J. Certificate of Completion: The applicant shall notify the Zoning Administrator when the project is complete for the final zoning compliance check, issuance of Certificate of Completion, and closeout of the Improvement Location Permit.

Article 10

Enforcement and Penalties

Town of Clear Lake
Unified Development
Ordinance

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Enforcement and Penalties

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UDO 2026-03

10.01 Actionable Violations

It shall be an actionable violation of this Unified Development Ordinance to:

A. Non-permitted Structures: Construct, place, or modify a structure in a manner that is not expressly permitted by this Unified Development Ordinance;

B. Permitted Structures: Construct, place, or modify a structure in a manner permitted by this Unified Development Ordinance without first being issued all permits and/or other approvals required by this Unified Development Ordinance;

C. Exempt Permitted Structures: For structures that are exempt from needing a permit; construct, place, or modify a structure in a manner that is not expressly permitted by this Unified Development Ordinance;

D. Non-permitted Uses: Utilize a property for a use that is not expressly permitted by this Unified Development Ordinance in the applicable zoning district; or by a use variance or other approval permitted under this Unified Development Ordinance;

E. Permitted Uses: Utilize a property for a use expressly permitted by this Unified Development Ordinance without first being issued a permit and/or other approvals required by this Unified Development Ordinance;

F. Non-compliance with Approvals: Fail to fully comply with procedural requirements, payment of fees, conditions, notifications, inspections, as-built survey submission, enforceable covenants, or commitments associated with any approval; or

G. Other Violations: Otherwise fail to comply with any component of this Unified Development Ordinance.

10.02 Enforcement Official

Enforcement of this Unified Development Ordinance shall be conducted by an enforcement official. When a type of enforcement action or role is assigned to a specific board, body or individual by Indiana Code or applicable rules of procedure, then that board, body, or individual shall participate as specified.

10.03 Discovery of Violations

An enforcement official may survey the jurisdiction or may investigate alleged violations in order to discover whether a violation occurred or exists.

10.04 Inspection of Property

A. Standard Inspections: Inspections of property or structures may be conducted by the enforcement official from the property where the violation or alleged violation is located with permission from the violator at the time of the inspection; from a public right-of-way, or from an adjacent property with permission from its property owner. If requested, the enforcement official shall present identification and describe the purpose of the inspection.

B. Denial of Access to Property: In the event the enforcement official is denied entry to a property or structure where there is a violation or alleged violation, the enforcement official may apply to a court of jurisdiction to secure a search warrant authorizing inspection of the property or structure.

C. Surrender of Right to Deny Access: A property owner surrenders his right to deny an enforcement official access to his property or structure upon filing for any approval. The surrender to deny access shall commence upon filing and shall cease upon the Zoning Administrator issuing a zoning compliance certificate or other required final inspection.

10.05 Responsibility for Violations

The owner or possessor (e.g. tenant or occupant) of the structure, land, and/or premises shall be liable for violations of this Unified Development Ordinance. If the possessor of the property or structure is determined to be liable for the violation but fails to comply or otherwise cannot be sufficiently pursued, the owner shall be held liable for the violation.

10.06 New Permits at Location Where a Violation Exists

When a violation or alleged violation of this Unified Development Ordinance has been identified on a property and notice of the violation or alleged violation has been conveyed in writing to the violator, any new filing for any approval shall be held by the Zoning Administrator until the violation or alleged violation is resolved, provided that the desired approval would complicate, escalate, or add to the violation or alleged violation. All other filings for an approval shall be processed as described in this Unified Development Ordinance.