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## ENFORCEMENT AND PENALTY

### 9.1 Enforcement

9.1.1 It shall be the duty of the ZA to enforce these regulations. Appeals from the decisions of the ZA may be made to the LCPAB, in accordance with 8.9.4.

### 9.2 Interpretation and Conflict

9.2.1 In interpreting and applying the LC Zoning Regulations' provisions, they shall be the minimum requirements for promoting public safety, health, convenience, comfort, prosperity, or general welfare. It is not intended by these zoning regulations to interfere with or abrogate or annul any easements, covenants, or other agreement between parties. Provided, however, that where these zoning regulations impose a greater restriction upon the use of structures, premises, the height of structures, require larger open spaces, lots areas, setbacks and so forth than are imposed or required by other rules, regulations, or by easements, covenants, or agreements, the provisions of these zoning regulations shall govern.

### 9.3 Validity

9.3.1 Should any section, clause, or provision of these regulations be declared invalid or unconstitutional by any court of competent jurisdiction, the same shall not affect the validity of these regulations as a whole, or any part thereof, other than the part so declared to be invalid or unconstitutional.

### 9.4 Repeal of Existing Regulations and Accrued Rights and Liabilities

9.4.1 The adoption of these regulations repeals the existing zoning regulations and zoning map of the Lyon County (*Zoning Regulations of Lyon County, Kansas (2003), updated in 2011*) Resolution Number 09-03 and the Interlocal agreement with the City of Emporia, Kansas for the Metropolitan Planning Area (MPA), Resolution Number 11-00.

9.4.2 Despite the repeal of regulations existing at the time of adoption of these regulations, nothing contained in these regulations shall affect any rights accrued or liabilities incurred under any previously existing regulations.

### 9.5 Penalties

9.5.1 Any violation of any provision of these zoning regulations shall be deemed to be a misdemeanor and punishable by a fine of not to exceed five hundred (\$500) or by confinement in the County jail for not more than six (6) months. Each day's violation shall constitute a separate offense.

9.5.2 The Governing Body or any person, whose property's value or use is or may be affected by a violation of these regulations, shall have the authority to maintain suits or actions in any court of competent jurisdiction to enforce these zoning regulations to abate nuisances maintained in violation thereof.

9.5.3 Whenever any building or structure is or is proposed to be erected, constructed, altered, converted, or maintained. Any building, structure or land is or is proposed to be used in violation of any zoning regulations, the Governing Body, in addition to other remedies, may institute an 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 such structure or land.

### 9.6 Effective Date

9.6.1 As adopted by the Governing Body, these zoning regulations shall become and are in full force following passage and publication of an adopting resolution of the County, in accordance with Kansas Law.