

CHAPTER XXVIII. INTERPRETATION, CONFLICT, REMEDIES, AND PENALTIES

ARTICLE 1. General Provisions

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28-101. INTERPRETATION AND CONFLICT. In interpreting and applying the provisions of these Regulations, they shall be held to be the minimum requirements for the promotion of the public health, safety, convenience, comfort, prosperity, or general welfare. It is not intended by these Regulations to interfere with, or abrogate, or annul any easements, covenants, or other agreement between parties. Where the conditions or requirements imposed by the provisions of these Regulations are either more restrictive or less restrictive than comparable conditions or restrictions imposed by any other provision of any kind, the regulations which are more restrictive, and impose higher standards or requirements, shall apply.

If any property is not given a zoning classification on the Zoning District Boundary Maps because of error or omission, such property shall be classified “RA” Rural Agricultural until changed by amendment, unless authorized by these Regulations.

28-102. REMEDIES AVAILABLE. In case any building or structure is or is proposed to be erected, constructed, reconstructed, relocated, altered, converted, or maintained, or any building, structure, or land is or is proposed to be used in violation of these Regulations, the Zoning Administrator, City Attorney, or other appropriate authority of the City of McLouth, Kansas, may, in addition to all other remedies, institute injunction, mandamus, or other appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, relocation, alteration, conversion, maintenance, or use, or to correct or abate such violation, or to prevent the occupancy of a building, structure or land.

28-103. PENALTY. Any person or corporation who shall violate any of the provisions of these Regulations or fail to comply herewith, or with any of the requirements thereof; or who shall build or alter any building in violation of any detailed statement or plan submitted and approved hereunder shall be guilty of a misdemeanor and, upon conviction thereof, shall be liable to a fine of not more than five hundred dollars (\$500.00) and/or imprisonment of not more than six (6) months for each offense, and each day such violation shall be permitted to exist shall constitute a separate offense. The owner of any building, or premises, or part thereof, where anything in violation of these Regulations shall be placed, or shall exist, and any architect, builder, contractor, agent, person, or corporation employed in connection therewith, and who assisted in the commission of any such violation, shall be guilty of a separate offense and, upon conviction thereof, shall be subject to the same fine as hereinbefore provided.