

## **SECTION 8**

### **Enforcement**

#### **801. Violations and Penalties**

##### **801.01. Violations**

The violation of any provisions of this Ordinance or the violation of the conditions or provisions of any permit issued pursuant to this Ordinance shall be a misdemeanor, and upon conviction thereof, the violator shall be subject to a fine, imprisonment or both, plus in either case, the cost of prosecution.

##### **801.02. Penalties**

Unless otherwise provided, each act of violation and every day on which such violation occurs or continues constitute a separate offense.

##### **801.03. Application to County Personnel**

The failure of any officer or employee of the county to perform any official duty imposed by this Ordinance shall not subject the officer or employee to a penalty imposed for violation unless a penalty is specifically provided for such failure.

##### **801.04. Equitable Release**

In the event of a violation or the threatened violation of any provision of this Ordinance or any provision or condition of a permit issued pursuant to this Ordinance, the County, in addition to other remedies, may institute appropriate actions or proceedings to prevent, restrain, correct or abate such violation or threatened violation.

**SECTION 9**  
**Separability, Supremacy and Effective Date**

**901.01. Separability**

Every section, provision, or part of this Ordinance or any permit issued pursuant to this Ordinance is declared separable from every other section, provision or part thereof to the extent that if any section, provision or part of this Ordinance or any permit issued pursuant to this Ordinance shall be held invalid by a court of competent jurisdiction, it shall not invalidate any other section, provision or part thereof.

**901.02. Supremacy**

When any condition imposed by any provision of this Ordinance on the use of land or buildings or on the bulk of buildings is either more restrictive or less restrictive than similar conditions imposed by any provision of any other community ordinance or regulation, the more restrictive conditions shall prevail.

This Ordinance is not intended to abrogate any easements, restrictions or covenants relating to the use of land or impose on lands within the community by private declaration or agreement, but where the provisions of this Ordinance are more restrictive than any such easement, restriction or covenant or provision of any private agreement, the provisions of this Ordinance shall prevail.

**901.03. Effective Date**

This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed and approved this 12<sup>th</sup> day of June, 2007 by the Fillmore County Board of Commissioners.

Chairman, Board of Commissioners: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Board of Commissioners Clerk