

SECTION 3
JURISDICTION, APPLICATION AND INTERPRETATION

Subdivision 1: JURISDICTION

This Ordinance applies to all of the area within the corporate limits of the City of Foley.

Subdivision 2: APPLICATION AND INTERPRETATION

1. Higher Standards Prevail. Where the conditions imposed by any provision of this Ordinance are either more or less restrictive than comparable conditions imposed by any law, ordinance, statute, resolution, or regulation of any kind, the regulations which are more restrictive or which impose higher standards or requirements shall prevail.

2. Building Permits.
 - A. Permit Required. No structure, fence or sign may be erected, converted, enlarged, moved, demolished, reconstructed or altered without first obtaining a Permit, and no structure or land may be used for any purpose nor in any manner which is not in conformity with the provisions of this Ordinance. The Building Inspector will issue a Permit only after determining that the building plans, together with the application, comply with this Ordinance. If the Building Code does not require a Building Permit, a Permit must still be obtained to ensure compliance with setback, height and use restrictions and this Ordinance.

 - B. Application. Permit Applications must be made to the City Clerk on forms to be furnished by the City Clerk's office.

 - C. Fee. Each applicant shall pay at the time of the application the required fees established by resolution of the City Council.

- D. Plan. Each Permit application to construct or alter any building with a foundation must be accompanied by a Certificate of Survey, if deemed necessary, drawn to scale showing the dimensions of the lot to be built upon and the size and location of the building and accessory buildings to be erected as well as existing structures, easements and ingress and egress routes. Permit Applications must also contain any other information the Building Inspector or City Clerk deems necessary.

- E. Municipal Improvements. All municipal improvements serving the property must be completed (with roadways having at least one lift of blacktop) before building permits will be issued.

- F. Certificate of Occupancy. All newly constructed buildings must obtain a Certificate of Occupancy from the Building Inspector prior to use or occupancy of the building.

Subdivision 3: SEPARABILITY

If any court of competent jurisdiction shall declare any provision of this Ordinance to be invalid, such judgment shall not affect any other provision of this Ordinance not specifically included in said judgment.

If any court of competent jurisdiction declare invalid the application of any provision of this Ordinance to a particular property, building or other structure, such judgment shall not affect the application of said provision to any other property, building or structure not specifically included in said judgment.

Subdivision 4: LOTS OF RECORD

All lots which were of legally sufficient size to meet minimum lot size requirements for a building at the time of this Ordinance's adoption shall be considered lots of record and shall continue to be legally buildable. It shall be the obligation of the owner of the property to demonstrate that the lot is a lot of record, which was legally buildable at the time of its creation.