

2. If the Floodplain Administrator discovers that the work does not comply with the permit application or any applicable laws and ordinances or that there has been false statement or misrepresentation by any applicant, the Floodplain Administrator shall issue a "Stop Work Order Notice" revoke the permit and request a temporary injunction.

Section 7.8 Certificate of Compliance

- A. In areas of flood hazard it shall be unlawful to occupy, or to permit the use or occupancy, of any building or premises, or both, or part thereof hereafter created, erected, changed, converted or wholly or partly altered or enlarged in its use or structure until a certificate of compliance has been issued by the Local Floodplain Administrator stating that the building or land conforms to the requirements of this local law.
- B. In areas of flood hazard it shall be unlawful to install a permanent utility connection to any building or premises, or both, or part thereof hereafter created, erected or rebuilt until a certificate of occupancy has been issued by the Local Floodplain Administrator stating that the development conforms to the requirements of this local law.
- C. A certificate of compliance shall be issued by the Local Administrator upon satisfactory completion of all development in areas of special flood hazard.
- D. Issuance of the certificate shall be based on the inspections conducted as prescribed in this ordinance or local administrative procedures, and any finished construction elevation certificate, hydraulic data, flood proofing certificate, or encroachment analyses which may have been required as a condition of permit approval.

Section 7.9 Fees

- A. A Floodplain Determination fee of \$ 25.00, payable to the Ohio County Commission shall be assessed on all proposed development.
- B. Application for a permit for proposed development determined to be occurring in a flood hazard area regulated by this ordinance shall be accompanied by a fee, payable to the Ohio County Commission, based upon the estimated cost of the proposed construction as determined by the Floodplain Administrator at the following rates:

<u>Type of Development</u>	<u>Fee</u>
1 & 2 Family Dwelling	\$ 12.00/per thousand
Accessory Structures	\$12.00/per thousand
Any Other Structures	\$12.00/per thousand
Site Plans, Grading & Filling (additional fee)	\$25.00/acre or part thereof
Floodway Development Reviews (site visit - additional fee)	\$25.00/per thousand

- C. In addition, the applicant shall be responsible for reimbursing the Ohio County Commission for any additional costs necessary for review, inspection, and approval of this project. The local Administrator may require a deposit of no more than \$500.00 to cover these additional costs. This may include reimbursement for contracted services.

ARTICLE VIII - APPEALS AND PENALTIES

Section 8.1 Appeals

Whenever any person is aggrieved by a decision of the Floodplain Administrator with respect to the provision of this ordinance, it is the right of that person to appeal to the Ohio County Commission, which shall be known as the Appeals Authority. Such appeal must be filed, in writing, within thirty (30) days after notification of the decision. Upon receipt of such appeal, the Appeals Authority shall set a time and place not less than ten (10) nor more than sixty (60) days for the purpose of hearing the appeal. Notice of the time and place of the hearing shall be given to all parties at which time they may appear and be heard. The determination by the Appeals Authority shall be final in all cases.

Section 8.2 Appeal Review Criteria

- A. All appeals contesting only the permit fee, the cumulative substantial damage requirement, the flood protection setback requirement, or the freeboard requirements, may be handled at the discretion of the Appeals Authority.
- B. All decisions on appeals to all other provisions of this ordinance shall adhere to the following criteria:
1. Affirmative decisions shall only be issued by the Appeals Authority upon (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the appeal would result in exceptional hardship to the applicant, and (iii) a determination that the granting of an appeal will not result in increased flood heights, additional threats to public safety, extraordinary public expense,