

ADMINISTRATION of COUNTY ZONING ORDINANCES:

The adoption of a zoning ordinance is not the end of a project, rather it is the beginning. As agriculture, industry and population growth take place, changes in the boundaries of use districts as well as amendments to the ordinance itself will need to be made. The administration of the ordinance will require a degree of care equal to that put into the original draft.

Committee in Charge:

In the absence of either a county park commission or a rural planning board, the county board committee which sponsors the county zoning ordinance, might well be the appropriate committee to administer the ordinance under the direction of the board of supervisors.

Such committee should be required to keep a complete record of the minutes of all meetings, and make a report to the county board of supervisors on the status of the zoning ordinance at each annual meeting. The administration of the ordinance will involve, first, the preparation of a record of non-conforming uses existing at the time of the enactment of the ordinance; second, the detection and prosecution of all violations of the ordinance. In this second function the statutes provide that the owner or owners of real estate within the district affected by such regulation as well as the county itself may secure compliance by injunctive order. The county committee should consult regularly with the district attorney in the enforcement of section VIII of the tentative ordinance.

Non-Conforming Uses:

A record of all non-conforming uses in the restricted district should be made when the ordinance becomes effective and be kept annually up to date for the information of the board of supervisors. This information should be kept

on file in the office of the register of deeds or county clerk. The reason for keeping this record annually and up to date is that the ordinance specifically provides that when a non-conforming use has been changed to a conforming use, it cannot be restored to its former utilization. Therefore, all such changes should be a matter of public record.

The assistance of town assessors could be utilized in obtaining such information.

Abstract of Title:

Since zoning restrictions constitute an encumbrance on use of land, each abstract of title should carry a notation similar to the following:

"This property is subject to a county zoning ordinance adopted by the board of supervisors of _____ county at an annual meeting (continued) of said board held on _____ which ordinance and accompanying map made a part thereof was approved by the town of _____ on _____, and was filed in the office of the register of deeds of _____ county, on _____."

Register of Deeds:

It is desirable in counties which maintain a tract index that the register of deeds post against each legal description of land in the restricted district a notation or reference to the fact that such description of land comes under the use restrictions provided in the county zoning ordinance.