

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 Rockville.

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. **Building Permit Required.** No structure, fence or sign may be erected, converted, enlarged, moved, demolished, reconstructed or altered without first obtaining a Building 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 Official will issue a Building 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 Site Permit must still be obtained to ensure compliance with setback, height and use restrictions and this Ordinance.
 - B. **Application.** Building Permit Applications must be made to the Building Official on forms to be furnished by the Zoning Administrator's office. Site Permit Applications must be submitted to the Zoning Administrator on forms to be furnished by the Zoning Administrator's office.
 - C. **Fee.** Each applicant shall pay at the time of the application the required fees as established by resolution of the City Council.
 - D. **Plan.** Each Building 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. Building Permit Applications must also contain any other information the Building Official or City Clerk deems necessary.
 - E. **Municipal Improvements.** Subject to a Development Agreement, 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 Official prior to use or occupancy of the building.

Subdivision 3: SEPARABILITY

1. 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.
2. 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 separate tax parcels, were legally recorded in the office of the County Recorder, and 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 is the obligation of the owner of the property to demonstrate to the satisfaction of the Zoning Administrator that the lot is a lot of record which was legally buildable at the time of the adoption of this Ordinance.