Whitewater Township
Ordinance Enforcement Policy

Adopted 12/13/2011Amended 6/30/2026

A. Purpose

The purpose of ordinance enforcement is to enhance Whitewater Township's livability by protecting the health, safety and welfare of Township residents and visitors by assuring compliance with the Township's Zoning and General Ordinances.

B. Applicability

This policy applies to all ordinance enforcement carried out by the Zoning Administrator / Code Enforcement Officer.

C. Process Overview – see page 4

D. Initiation of Enforcement

Code Enforcement violations can be reported by either citizens or Township staff or Officials. ALL complaints must be filed in writing on a Township complaint form. These forms can be found on the Township website or are available at the Township Hall.

E. Ordinance Enforcement Record and Investigation

Once a complaint is received, it shall be recorded in the Township Code Enforcement Records and shall include the following:

1. Assigned case number
2. Complainant's name and contact information
3. The subject property address
4. Type of complaint with ordinance and sections being violated

Field Investigation

The Zoning Administrator / Code Enforcement Officer must conduct a field investigation to determine if the complaint is valid. If the complaint is not valid, the case will be closed. If the complaint is valid, the severity of the violation will be noted with pictures and other supporting information.

NOTE: Investigator should verify complaint from a public right-of-way if possible. Township employee(s) should take whatever precautions are necessary to remain safe.

F. Verified Complaint – Field Report

Once a complaint is noted and verified, the Zoning Administrator / Code Enforcement Officer will prepare a report on the field investigation to be kept in the file. Such information shall include:

- Date and time of field visit
- Violation(s) observed
- Witnesses interviewed if any
- Evidence obtained i.e. photos or measurements
- Any discussion with owners or occupants
- Recommended enforcement action and timeline
- Any referrals given to other agencies

G. Contact Owner(s)

1. Obtain property deed to determine ALL owners of property in violation
2. Summarize the nature of the violation in a letter to the property owner. This letter shall include the nature of the violation, methods for complying and proposed timelines for compliance.
3. Zoning Administrator / Code Enforcement Officer can make contact with property owner once all information is gathered. Such contact can be in person and should include the written letter outlining the concern. Voluntary compliance is the goal so the case can be closed.

H. Formal Letter to Owner(s)

If property owner does not respond to personal contact, the letter should be sent via USPS with a proof of service. All mailing and proof of service should be retained in the file to prove that these steps were taken before issuing any tickets. If property owner fails to respond to the mailed letter, the letter can be mailed a second time. If the mail comes back undeliverable, a process server or sheriff's deputy may be obtained to personally serve the letter to the property owner. If this does not produce a response or compliance, a ticket may be issued.

I. Voluntary Compliance Agreement

The responsible party shall enter into a Voluntary Compliance Agreement that will be signed by both the responsible party and the Township. Under special circumstances deadlines may be extended. The extended deadline shall be determined on a case-by-case basis contingent upon the effort already made to correct the violation, severity and extent of the violation, whether the violation is a repeat offense, weather, etc.

J. Compliance Verification

If the Zoning Administrator / Code Enforcement Officer determines that required corrections have been made, the date and method of compliance shall be noted in the file, and the case shall be closed.

Permit Requirements:

1. In some cases, corrective action may consist of applying for and obtaining necessary permits.
2. Any violation shall be corrected prior to issuance of any additional permits.

K. Issue a Ticket

If steps toward voluntary compliance have not been successful, a Municipal Civil Infraction Ticket may be issued.

When posting the ticket directly on the property, it must be posted clearly onto the building or structure, light pole or tree and a picture should be taken of the posting. The posting may not be placed on a mailbox. The ticket must **also** be mailed with a proof of service to the property owner. Pictures of the violation(s) must be taken on the day that the ticket is issued.

If mail is returned as undeliverable, the ticket may need to be personally served by a process server or a sheriff's deputy. Proof of service is needed in either case.

L. Resolution

It is the Township's policy to attempt to reach final, satisfactory resolutions of all violation

complaints based on the resources of the Township. Where the Township determines that a violation may not be successfully resolved within the established reasonable timelines, alternative methods of enforcement may be pursued.

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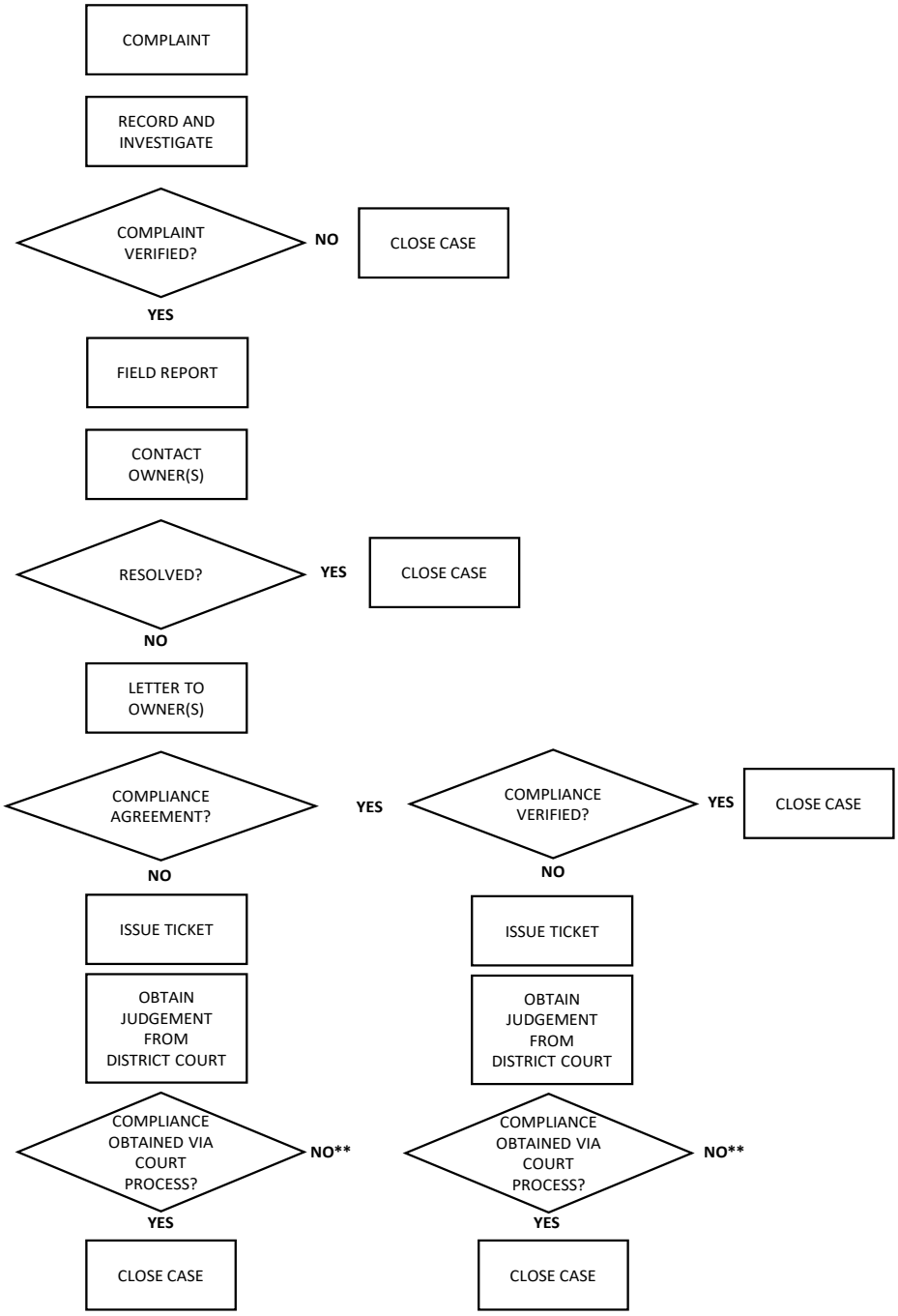
Ordinance Enforcement Process



**** If the violation continues to persist, alternative methods of enforcement may be pursued**