

CHAPTER 1117
Enforcement.

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CROSS REFERENCES

Violations of rules and regulations - see Ohio R.C. 711.102

1117.01 RECORDING OF PLAT.

No plat of any subdivision shall be entitled to be recorded in the office of the Recorder of the County or have any validity until it shall have been approved in the manner prescribed herein. In the event any such unapproved plat is recorded, it shall be considered invalid and the Commission shall institute proceedings to have the plat stricken from the records of Hamilton County, State of Ohio.

1117.02 SALE OF LAND IN SUBDIVISION.

No owner or agent of the owner of any land located within a subdivision shall transfer or sell any land by reference to, exhibition of, or by the use of a plan or plat of a subdivision before such plan or plat has been approved and recorded in the manner prescribed herein. Any sale or transfer contrary to the provisions of this section is void. The description of such lot or parcel by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the transaction from the provisions of these Regulations.

1117.03 PERMITS.

(a) Building or repair permits shall not be issued for any structure on a lot in a subdivision for which a plat has not been approved and recorded in the manner prescribed herein.

(b) No owner or agent of the owner of any land shall be entitled to a permit for the installation of wells and septic tanks upon any lots in a subdivision for which a plat has not been approved and recorded in the manner prescribed herein.

1117.04 PUBLIC IMPROVEMENTS.

The Municipality here defines its policy to be that the Municipality will withhold all public improvements of whatsoever nature, including the maintenance of streets and the furnishing of sewage facilities and water service from all subdivisions which have not been approved, and from all areas dedicated to the public which have not been accepted by the Council in the manner prescribed herein.

1117.05 REVISION OF PLAT AFTER APPROVAL.

(a) No changes, erasures, modification or revisions shall be made in any plat of a subdivision after approval has been given by the Commission, and endorsed in writing on the plat, unless the said plat is first resubmitted to the Commission.

(b) No streets, utilities, or sewers will be accepted by the City without "as-built drawings" and a walk through inspection by City personnel with the developer.

1117.06 FEES.

(a) At the time of submitting a preliminary plan, the subdivider shall pay a filing fee and the amount of such fee shall be determined from the following schedule:

Number of Lots in Plat	Amount of Fee
2-5	\$100.00
6-10	175.00
11-15	225.00
16-20	275.00
21-25	350.00
26-30	425.00
31-35	500.00
36 and over	500.00 plus \$10.00 for each lot in excess of 35

(b) The filing fee shall be paid in legal tender or by check or money order made payable to the Municipality and deposited with the Clerk of Council for transfer to the General Fund.

(c) In the event that a plat is disapproved by the Planning Commission before any physical inspection has been made of the site, then the Commission may, at its discretion, order that the developer be refunded an amount not to exceed one-half (1/2) of the fee paid to the Clerk of Council.

(d) In addition to the above filing fee the subdivider may be required to submit a cash bond of five hundred dollars (\$500.00) for the cost of the engineering review by the Director of Building, in the event he or she makes definite drawings for revising the plat. In the event no drawings are submitted to the subdivider as to revising the plat, the cash bond shall be refunded to the subdivider. In the event drawings are prepared by the Director of Building only the unused portion of the cash bond shall be refunded, or in the event greater cost than the cash bond is incurred, the subdivider shall be billed for such additional cost.

(e) In addition to the above filing fee, the subdivider shall be charged a fee by the City Engineer for the cost of supervision of all improvements in the subdivision which fall under his or her jurisdiction.

- (1) The amount of the deposit and method of payment shall be as required by the department or office concerned.
- (2) The supervision shall be for all time spent by the Engineer or his or her duly authorized representative in supervising the subdivider's improvements.

1117.07 VALIDITY.

If any section, subsection, sentence, clause, or phrase of these Regulations is for any reason held to be unconstitutional or void, such decisions shall not affect the validity of the remaining portions of these Regulations.

1117.99 PENALTIES.

(a) Whoever violates these Regulations adopted by Council or fails to comply with an order, pursuant thereto, shall forfeit and pay not less than ten dollars (\$10.00) nor more than one thousand dollars (\$1,000). Such sum may be recovered with costs in a civil action brought in the Court of Common Pleas of the County.

(b) Whoever, being the owner or agent of the owner of any land within the Municipality, transfers any lot, parcel or tract of such land from or in accordance with a plat of a subdivision before such plat has been recorded in the office of the County Recorder, shall forfeit and pay the sum of not less than ten dollars (\$10.00) nor more than five hundred dollars (\$500.00) for such lot or part of a lot so sold, offered for sale or leased, to be recovered with costs in a civil action, in the name of the Treasurer/Finance Director for the use of Municipality.

(c) Any person who disposes of, offers for sale or leases for a time exceeding five (5) years any lot or any part of a lot in a subdivision before provisions of these Regulations are complied with, shall forfeit and pay the sum of not less than ten dollars (\$10.00) nor more than five hundred dollars (\$500.00) for such lot or part of a lot so sold, offered for sale or leased, to be recovered with costs in a civil action, in the name of the Treasurer/Finance Director for, the use of Municipality.