CHAPTER 1159
SUBDIVISION REGULATIONS

1159.01 PURPOSE AND INTENT.

This Chapter of the Planning and Zoning Code shall hereafter be known, cited, and referred to as the Subdivision Regulations of the Village of Peninsula. The general purpose of these Regulations shall be to guide and regulate the subdivision and development of land in order to promote and protect the public health, safety, convenience, comfort, prosperity, and general welfare of the Village. It is intended that these Regulations shall serve the following objectives:

(a) To provide for orderly development of land;
(b) To preserve the "small town" character of the Village;
(c) To encourage more efficient use of land and public services through unified development;
(d) To preserve the natural beauty and topography of the Village and insure appropriate development with regard to these natural features;
(e) To establish reasonable standards of design;
(f) To insure safe and convenient vehicular access;
(g) To protect and conserve the value of land;
(h) To ensure that land to be subdivided shall be of such character that it can be used safely for building purposes; and
(i) To coordinate land development in accordance with the Zoning Ordinances.

These Regulations shall be considered minimum requirements and standards for the subdivision and development of land within the Village.

1159.02 PLATTING REQUIRED.

These Subdivision Regulations shall apply to all subdivisions of land. No land shall be subdivided except in compliance with these Subdivision Regulations and the provisions of the Zoning Ordinance of the Village.

No land shall be subdivided within the Village until:

(a) The sub-divider has prepared and submitted a plat of the entire parcel as set forth in these Subdivision Regulations;
(b) Said plat has been approved as provided herein; and
(c) The approved plat has been filed with the County Recorder.

No building permit or certificate of occupancy shall be issued for any parcel or plat of land which was created by subdivision after the effective date of, and not in conformity with, the provisions of these Subdivision Regulations. No excavation of land or construction of any public or private improvements shall take place or be commenced except in conformity with these Regulations.

1159.03 DEFINITIONS.

(a) For purposes of these Subdivision Regulations, certain words, terms, or phrases shall be as follows:

(1) All words used in the present tense include the future, the singular shall include the plural, and the plural include the singular.
(2) "Person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
(3) "Shall" is mandatory; "may" is permissive.

(4) "Lot" includes "plot", "premises", or "parcel".
(5) "Building" includes "structure".
(6) "Used or occupied" includes "intended, designed, or arranged to be used or occupied".
(7) All words not specifically defined shall have the meaning as commonly used.

(b) For purposes of these Subdivision Regulations, the following words, terms, or phrases shall be defined as follows:

(1) "Lot" means a tract, plat, or portion of a subdivision or other parcel of land intended as a unit for the purpose, whether immediate or future, of transfer of ownership or for building development.
(2) "Lot line" means the boundary of a lot separating it from an adjoining property.
(3) "Lot width" means the horizontal distance between the side lot lines measured at the setback line.
(4) "Planning Commission" or "Commission" means the Village of Peninsula Planning Commission.
(5) "Right-of-way" means the strip of land occupied or intended to be occupied by a street, walkway, or other public improvement relating to public access or travel.
(6) "Setback line" or "building setback line" means a line a minimum distance from and parallel to the centerline of any right of way between which no building or portion thereof may be erected.
(7) "Subdivision" means:
   A. The division of land into two or more parts, lots, parcels, sites, units, tracts, or interests for the purpose of transfer of ownership, lease, or building development, either immediate or future;
   B. The division or development of land whether by deed, metes and bounds description, devise, intestacy, lease, map, plat, or another recorded instrument;
   C. The improvement of one or more parcels of land for structures or groups of structures involving the division or allocation of land for the opening, widening, or extension of any street, right-of-way, or easement; or
   D. The re-subdivision of any lot or lots in any recorded subdivision.
(8) "Subdivision, minor" means:
   A. The sale or exchange of parcels between adjoining lot owners where such sale or exchange does not create additional building sites and does not reduce any existing parcel to less than the minimum acreage required for the zoning district; or
   B. Any subdivision containing not more than four lots, all of which: have frontage on an existing street; do not involve any new street, right-of-way, easement, or the extension or creation of any public improvements; and do not adversely affect the remainder of the parcel or any adjoining property~~;~~ or
   C. Any consolidation of adjoining parcels on an existing street that does not result in a parcel of less than the minimum acreage required in the zoning district.
(9) "Sub-divider" means a person that desires to divide or consolidate a parcel of land within the Village.

1159.04 PLAT APPROVAL PROCEDURES.

The following procedures shall be followed with regard to the submittal, review, and approval of subdivision plats. A sub-divider may request an informal review of a concept plan by the Zoning

Official and/or the Mayor prior to the submission of a preliminary plat to obtain comments and direction on the proposed subdivision. The concept plan shall include the general layout of the streets and lots.

1159.05 PRELIMINARY PLAN PROCESS.

(a) Prior to formal submission of a subdivision plan, the sub-divider shall submit ten (10) copies of the preliminary plan to the Planning Commission for review and comment by the Commission. Said submittal shall be made at least 14 days in advance of the Planning Commission meeting at which it is to be considered and shall be accompanied by the required fee as set forth in Section 1159.24. Such preliminary plans shall include the general layout of streets and lots, plotted on a topographic map, complying with the technical requirements set forth in Section 1159.06 and the planning principles established in the Zoning Code. The purpose of the preliminary plan is to explore the best design for the subdivision and the best relationship to adjoining subdivisions or undeveloped land; outline a program of improvements; ensure that an adequate water supply and an adequate septic system may be provided to each lot and that extensive and environmentally harmful grading operations will not be required; and obtain the advice, suggestions, and requirements of the Planning Commission before the plan becomes rigid as in a detailed drawing. The submittal of alternative plans is recommended.

(b) The Planning Commission shall examine the preliminary plan at its next regular meeting, giving the applicant an opportunity to be heard and answer any questions concerning the plan.

(c) Prior to submission of the preliminary plans to the Planning Commission, the Zoning Officer shall review the preliminary plan and profiles against the requirements of these Subdivision Regulations and all applicable ordinances of the Zoning Code of the Village. If the Village has an Engineer in its employ, the Zoning Officer shall forward the plans to the Village Engineer, who shall promptly return a copy of the preliminary plan and profiles to the Zoning Officer, together with his or her comments and recommendations.

(d) After the Zoning Officer receives the report of the Village Engineer, if any, and any other comments and recommendations concerning the plan, they shall be forwarded to the Planning Commission for its review and comments.

(e) If the Planning Commission finds that the plan meets the requirements of these Regulations and other ordinances of the Village, and it is approved, or it is approved with conditions, the Chairperson shall sign two copies of the preliminary plan and profiles with a notation that the same are approved, subject to any special conditions. One copy shall be delivered to the sub-divider and the other shall be retained by the Planning Commission.

(f) If the Planning Commission does not approve the plan and profiles, it shall state in writing the conditions to be complied with before approval may be obtained.

(g) Final approval of the preliminary plan and profiles shall assure the sub-divider for a one-year period from the date of approval by the Commission:

(1) That the general layout of streets, lots, building sites and other features is approved and has been established as the basis for the preparation of the final plat;

(2) That the general terms and any special conditions under which the approval of the plan was granted will not be changed unless additional information or data are received in the meantime that would indicate that changes should be affected; and

(3) That the developer may submit drawings and specifications for improvements and a final plat for the subdivision.

1159.06 SUBMITTAL REQUIREMENTS FOR PRELIMINARY PLANS.

The sub-divider shall furnish, with the application for approval of the preliminary plan of a subdivision as described in Section 1159.05, the following maps, data, and plans:

(a) Maps and data, either separate or combined, shall be provided as follows:

(1) A vicinity map. A print, such as a section of the 400-foot scale Village map, showing thereon the location of the proposed subdivision and its relationship to adjacent developments, streets, and all community facilities which serve or influence it;

(2) A property line map. A drawing showing bearings and distances of the parcel to be subdivided; location, width, and purpose of easements; the name, width, and location of abutting streets, including location of pavements and sidewalks; and structures on the parcel and within 100 feet on adjoining property;

(3) A utility map. A drawing showing utilities on and adjacent to the parcel, including location and size of gas mains and water mains, if any, and location of fire hydrants, if any, and electric power and telephone poles;

(4) A topographic map. A drawing showing contours at two-foot intervals based on the County datum plane. It shall show the approximate direction and gradient of the ground slope on immediately adjacent land; indicate the subsurface condition of the tract if not typical; and show watercourses, marshes, wooded areas, isolated preservable trees, and other significant features. The topography may be compiled by photogrammetric methods and shall be at the same scale as the preliminary plan.

(5) Titles and certifications indicating present parcel designations according to official records, the name of the developer, the names and addresses of owners, certification of the registered surveyor, and the scale and date of the survey;

(b) A plan shall be prepared in accordance with the planning principles set forth in the Zoning Code and designed by a registered engineer or surveyor. The plan shall be accurately and clearly drawn at a scale of not less than 1-inch equals 100 feet. The profiles, which may be prepared on standard cross-section paper, shall have a horizontal scale of one-inch equals fifty feet and a vertical scale of one-inch equals five feet. The drawing shall include the aforesaid topographic and property line data, the surrounding streets and lots, and the proposed plan, or alternative plans, of the subdivision, and show the following:

(1) The street layout, right-of-way and pavement widths, approximate grades, names and whether the streets are public or private;

(2) The Location, width, and purpose of any other rights of way;

(3) The approximate dimensions and number of lots, with building setbacks;

(4) The location and approximate dimensions of any property to be reserved or dedicated for parks, wildlife refuges, or other public uses;

(5) A title block including a graphic scale, north arrow, date, and name of allotment; and

(6) Preliminary drawings showing street profiles and grades, a typical cross-section of proposed roadways, proposed storm sewers, septic systems, and water supply, as well as all existing watercourses, culverts, storm sewers, and existing features pertinent to the plotting of an allotment.

1159.07 PROCESSING OF FINAL PLATS.

(a) The sub-divider shall submit 10 copies of a final plat prepared by a registered surveyor or

engineer along with such supporting data as required herein. Said submittal shall be in conformance with the approved preliminary plan and be made at least 14 days in advance of the Planning Commission meeting at which it is to be considered and shall be accompanied by the required fee as set forth in Section 1159.24.

(b) The Commission shall review final subdivision plats and make a recommendation to the Village Council regarding approval of said plats within a reasonable period of time, but not to exceed 30 days from the date of submittal, unless an extension of time is agreed to by the sub-divider. The Commission may request comments from the Village Engineer or other officials or experts whose advice may be helpful in evaluating the subdivision proposal. The plat, together with the Commission's recommendation, shall then be forwarded to Council.

(c) Upon receipt of the subdivision plat and the recommendation of the Planning Commission, Council shall schedule the plat for review at a Council meeting and shall, within a reasonable period of time, either approve, conditionally approve with stipulations, or disapprove the plat.

(d) Should Council approve or conditionally approve the plat, the sub-divider shall install the improvements required by the approval, submit to the Zoning Officer a cost estimate for completion of all public improvements associated with the subdivision, or install a portion of the improvements and submit a cost estimate for the completion of the improvements. If a portion of the improvements are installed, the Village Engineer, or Zoning Officer in the absence of a Village Engineer, shall approve the installed improvements. The Village Engineer or Zoning Officer shall review any estimates and establish the amount of any performance bonds to be posted. The sub-divider shall submit bonds in the amount established by the Village Engineer or Zoning Officer in a form approved by the Village Solicitor.

(e) Upon submittal and approval of the required bonds (as set forth in Section 1159.22 hereof) or the installation of the required improvements, the Mayor, Village Engineer (or Zoning Officer in the absence of a Village Engineer), and Village Fiscal Officer shall sign the final plat prior to the recording of the plat. The placement of said signatures on the plat shall constitute final approval of the subdivision.

(f) No street, right of way, easement, or other required improvement shall be deemed accepted for dedication until it has been inspected by the Village Engineer, or Zoning Officer in the absence of a Village Engineer, and said Engineer or Zoning Officer has filed a written finding with the Fiscal Officer that said street or other improvement has been constructed in accordance with the specifications set forth on the approved plat and the rules and regulations outlined herein, and said street or other improvement is in good repair.

1159.08 SUBMITTAL REQUIREMENTS FOR FINAL PLATS.

Subdivision plats submitted to the Village for review and approval shall be 18 inches by 30 inches in size and be drawn at a scale of 1" = 100'. Final subdivision submittals shall include, at a minimum, the following:

(a) A vicinity or location map at a scale of 1" = 1000' showing the relationship of the proposed subdivision to the surrounding area.

(b) The name of the subdivision, north arrow, scale, and date.

(c) The names of all adjoining property owners.

(d) The property boundaries with length of courses in feet and hundredths and bearings to not more than half seconds.

(e) The curve data for streets including the radii, arcs, chords, chord bearings, tangent, and central angle.
(f) Accurate dimensions for all lots, reserve parcels, rights-of-way, and easements.
(g) The accurate location of all required monuments.
(h) A summary of the area of land used for each of the following: lots, rights-of-way, parks, and open space.
(i) Detailed construction plans prepared by a registered engineer for all required improvements at a scale of 1" = 50' on 24" by 36" sheets or at such other scale acceptable to the Village Engineer, or Zoning Officer in the absence of a Village Engineer.
(j) An erosion control and storm water plan.
(k) The location of setback lines from public rights-of-way as required by the Zoning Ordinance.
(l) An acknowledgment by the owner that the plat was prepared with his consent and is accepted by him and dedicating the streets and the appropriate easements and public areas to the Village. In the case of private streets, the required homeowner association documentation and deed restrictions.
(m) A statement signed by the owner setting forth the rights associated with the easements and reserve parcels shown on the plat.
(n) If the submittal is for a section or portion of the property only, an overall plan of the entire property showing the general subdivision layout of the entire parcel.
(o) A certification by a registered engineer or surveyor that the information contained on the plat is true and correct and conforms to the requirements of these Subdivision Regulations.
(p) A release signed by any mortgage holders regarding the dedication of rights-of-way and other lands set aside for public purposes.
(q) Evidence that any and all required approvals have been obtained from government agencies including but not limited to Ohio EPA, Army Corp of Engineers, Summit County Public Health, and Summit County Soil and Water.
(r) An approval block for the endorsement of the plat by the Mayor, Village Engineer (or Zoning Officer in the absence of a Village Engineer), and the Village Fiscal Officer upon approval by the Village Council.

1159.09 SPECIAL PROCEDURES FOR MINOR SUBDIVISIONS.

Minor subdivisions may be approved for recordation by the Mayor and Village Engineer, or Zoning Officer in the absence of a Village Engineer, without referral to the Planning Commission or Village Council, provided that all appropriate requirements of the Zoning Code and Section 1159.10 of these Subdivision Regulations are met and the plat has received a favorable review by the Village Engineer or Zoning Officer in the absence of a Village Engineer. Where in the opinion of the Mayor or Engineer, or Zoning Officer in the absence of a Village Engineer, there are unusual conditions associated with a proposed minor subdivision, the plat shall be forwarded to the Planning Commission and follow the process outlined in Section 1159.07.

1159.10 SUBMITTAL REQUIREMENTS FOR MINOR SUBDIVISIONS.

Minor subdivision plats submitted for review and approval shall be prepared at a scale of 1" = 100' and shall contain the following:

(a) A vicinity or location map at a scale of 1" = 1000' showing the relationship of the proposed subdivision to the surrounding area.
(b) The name of the subdivision, north arrow, scale, and date.

(c) The names of all adjoining property owners.
(d) The accurate location of all required monuments.
(e) The location of setback lines from public rights-of-way as required by the Zoning Ordinance.
(f) If the submittal is for a section or portion of the property only, an overall plan of the entire property showing the general subdivision layout of the entire parcel.
(g) A certification by a registered engineer or surveyor that the information contained on the plat is true and correct and conforms to the requirements of a minor subdivision of these Subdivision Regulations.
(h) An approval block for the endorsement of the plat by the Mayor, Village Engineer (or Zoning Officer in the absence of a Village Engineer), and Village Fiscal Officer (if Council approval is necessary).

1159.11 GENERAL STREET DESIGN CRITERIA.

All construction pertaining to roads, drainage, and underground utilities shall conform to the Latest Edition of the "State of Ohio Department of Transportation Construction and Material Specifications", except as modified or otherwise specified herein.

(a) All public streets shall provide a right -of-way dedication of not less than fifty (50) feet in width and provide a minimum pavement width of twenty-two (22) feet.
(b) All cul-de-sac streets shall be provided with a turn-around which shall have a minimum 100 ft. diameter right-of-way and 80 ft. diameter pavement.
(c) Whenever possible, streets shall be looped to provide more than one entrance and exit to the development. Intersections with existing rights-of-ways shall be maintained at a minimum necessary for proper traffic circulation. Streets shall be laid out so as to intersect as nearly as possible at right angles.
(d) Street alignments should follow natural contours and be designed to conserve natural features. Stub streets should be eliminated unless such stub street is necessary based on an overall concept plan for the development of the adjacent property.
(e) The area of the project devoted to streets and related pavement should be the minimum necessary to provide adequate and safe movement through the development.
(f) Street names shall be approved by Council and shall not duplicate the names of existing streets within the Village.
(g) The Village Engineer or Planning Commission may modify these standards based on unique topographic conditions, soil conditions, or other unusual conditions specific to the property being subdivided.
(h) The Village Engineer or the Planning Commission may require a Traffic Impact Study based on the location of the development, the size of the development, and other unusual conditions of the specific property being subdivided.
(i) Private streets may be permitted after review and approval of the Planning Commission. Private streets must meet the design criteria outlined in this section.
    (1) In all cases where private streets are permitted, a Homeowners' Association shall be formed to control and maintain the streets. Homeowners' Association documents shall be submitted with the final plat and recorded with the subdivision.

(2) All responsibility and liability for private streets remain with the Homeowners' Association and owners of the lots served by the private street. Deed restrictions for private streets are required to include the following language: The undersigned grantee (s) hereby acknowledge (s) that (he, she) understand that the premises described herein is located on a private non-dedicated street. The Homeowners' Association is responsible or liable for the care, repair, replacement, snow or ice removal, dust control, drainage, mowing, tree trimming, or maintenance of said private street. The Homeowners' Association for such Development shall indemnify, defend, and hold harmless all governmental bodies for any and all such claims of any kind or nature that may arise or be related to the private street.

1159.12 PEDESTRIAN CIRCULATION SYSTEMS.

(a) A pedestrian circulation system shall be included and designed to ensure that pedestrians can walk safely and easily throughout the development. The pedestrian system shall provide connections between properties and activities or special features within the restricted open space system and need not always be located along streets.

(b) Trails for which a public right of passage has been established should be incorporated in the pedestrian circulation system.

(c) Sidewalks shall be located not less than one foot from the property line to prevent interference or encroachment by fencing, walls, hedges, or other planting or structures placed on the property line at a later date. When required, concrete sidewalks shall be at least four feet wide and four inches thick.

1159.13 MONUMENTS.

Permanent monuments of a type approved by the Village Engineer, or Zoning Officer in the absence of a Village Engineer, shall be set by a registered surveyor at locations directed by the Village Engineer or Zoning Officer.

1159.14 WATER.

All lots shall be served by either public water service as set forth in subsection (a) hereof, or by individual wells as set forth in subsection (b) hereof.

(a) Where a public water main is accessible, the sub-divider shall install adequate water facilities, including fire hydrants, in accordance with the rules, standards, and specifications of the Village. Said water mains and appurtenances shall be inspected, tested, and approved by the Village prior to acceptance by the Village.

(b) Where public water service is not available, lots may be served by individual water systems such as wells, cisterns, or other devices provided that such system is installed in accordance with the standards and regulations of the Village, is approved by Summit County Public Health, and such approval is filed with the Village Fiscal Officer.

1159.15 SANITARY FACILITIES.

Each lot shall be served by an adequate sanitary sewage collection and disposal system which shall be installed in accordance with the rules, regulations, standards, and specifications of Summit County Public Health and/or the Ohio EPA. No such sanitary system shall be installed or used

except with the approval of Summit County Public Health. If a common on-site system is to be used, it shall not be located in the restricted open space.

1159.16 DRAINAGE.

(a) An adequate storm drainage system shall be provided for each subdivision. Storm facilities shall be designed and constructed in accordance with standards established by the Village Engineer, as applicable, Summit Soil and Water and the Ohio EPA, in order to prevent flooding and properly dispose of storm waters.

(b) Storm drainage facilities shall in each case be of sufficient capacity to accommodate potential runoff from the entire upstream drainage area, whether inside or outside the subdivision.

(c) No subdivision shall be approved that would overload the existing downstream drainage facilities until provisions for downstream improvements or on-site detention satisfactory to the Village Engineer, and as applicable, Summit Soil and Water and the Ohio EPA, have been made.

(d) Measures shall be taken to minimize erosion and its impacts during construction. Detailed erosion control plans setting forth the techniques to be used and a schedule for implementation shall be submitted with the final plat. Techniques, devices, or measures used shall be as approved by the Village Engineer and as applicable, Summit Soil and Water and the Ohio EPA.

1159.17 EASEMENTS.

(a) Where a subdivision is traversed by a water course, drainage way, channel, storm conduit, or stream, there shall be provided to the Village a storm water easement conforming substantially to the lines of such water course and containing such additional width as determined by the Village Engineer, or Zoning Officer in the absence of a Village Engineer. Said easement shall be duly recorded and require the property owner to be responsible for maintenance of the underlying water course, drainage way, channel, storm conduit, or stream but permitting the Village to enter upon the property to affect repairs or maintenance in the event the property owner fails to do so. Cost of said repairs or maintenance shall be a charge to the property owner.

(b) Easements ten feet in width shall be provided adjacent to each side of and contiguous with all proposed rights-of-way. Such easements shall be usable for any and all utilities.

(c) Utility or drainage easements across lots or alongside side or rear lot lines shall be a minimum of ten feet in width. The Village Engineer, or Zoning Officer in the absence of a Village Engineer, may require additional width where appropriate.

1159.18 LOTS.

(a) Each lot shall have satisfactory access to a street.

(b) Double frontage, reverse frontage, and irregularly shaped lots shall be avoided.

(c) Lot lines shall be substantially at right angles or radial to street lines.

(d) Lot dimensions shall comply with the minimum requirements of the Zoning Ordinance.

(e) Lots shall be so arranged such that there will be no foreseeable difficulties in securing building permits.

1159.19 NATURAL FEATURES.

(a) The Commission shall, wherever possible, establish the preservation of all-natural features

that add value to residential developments and to the community, such as large wooded areas, watercourses, beaches, areas of historical significance, and similar irreplaceable assets.

1159.20 HILLSIDE REGULATIONS.

(a) For the purposes of these Regulations, land with a slope of twelve percent (12%) or more as indicated by the Soil Survey or field measurements shall be classified as hillside.

(b) Cuts and Fills. Cutting, excavation, grading, and filling shall be permitted where adequate provisions are made to prevent slides and erosion by cribbing and retaining walls or other measures acceptable to the Planning Commission.

(c) No land shall be graded, cut, or filled so as to create a slope exceeding a vertical rise of one foot (1') for each two-and one-half feet (2-1/2') of horizontal distance, except water detention or retention facilities when required.

(d) Use of individual wastewater treatment and disposal systems utilizing soil absorption is not recommended on hillside slopes. Lots requiring such systems will be permitted only if design details are approved by Summit County Public Health.

1159.21 LIGHTING.

Lighting within the public rights-of-way shall be limited to intersections for safety of vehicles and pedestrians. Street lighting shall not be permitted unless specifically authorized by the Village of Peninsula Council.

1159.22 BONDING REQUIREMENTS.

(a) Performance Bonds. Prior to the endorsement of the plat by Village officials, the sub-divider shall install the improvements or furnish a bond or other security in a form and amount acceptable to the Village Council. Said bond shall guarantee completion of all required public improvements associated with the subdivision in accordance with the approved plans and specifications for said subdivision. All construction covered by the bond shall be completed within one year unless a greater period of time is approved by Council.

(b) Maintenance Bonds. Upon completion of construction of public streets, the sub-divider shall furnish a bond providing for the maintenance of said streets for a period of two years from the date the Village Engineer, or Zoning Officer in the absence of a Village Engineer, certifies that the streets have been completed according to plan.

(c) Indemnity Insurance. A policy of indemnity insurance in the amount of $1,000,000/$3,000,000 personal liability and $100,000 property damage protecting the Village against any claims for damage to person or property resulting from or by reason of the construction of the subdivision improvements shall be furnished to the Village prior to the start of construction and be maintained in force by the sub-divider until all improvements are completed to the satisfaction of the Village Engineer, or Zoning Officer in the absence of a Village Engineer.

1159.23 VACATION OF PLATS.

Any plat or portion thereof may be vacated by the filing of a written instrument declaring said plat or portion thereof to be vacated. Such instrument shall be submitted to the Planning Commission, which shall review same and make a recommendation to Council. Council may approve, reject, or approve in part any such instrument. Upon approval by Council, said instrument

may be recorded in like manner as plats of subdivisions and shall operate to destroy the force and effect of the plat, or portion thereof, so vacated.

1159.24 FEES.

Sub-dividers shall be responsible for payment of subdivision review fees and construction inspection fees in such amounts set forth herein:

Preliminary Plan:	$300 plus $10 per lot
Final Plat:	$500 plus $10 per lot
Minor Subdivision:	$70 per lot created or $30 per lot if it is a combination or line adjustment
Vacation Plat:	$300

Plan Review and Field Inspection Fees: The Sub-divider shall pay to the Village the total cost of plan review and field inspection of the improvements. The Sub-divider is held responsible for all fees, which will be payable upon invoice. The Performance Bond posted by the Developer must guarantee the payment of all Fees, and no Bonds will be released until all Fees have been paid in full.

1159.99 VIOLATIONS AND PENALTIES.

(a) Any person, firm, or corporation who fails to comply with, or violates, any of the regulations set forth herein or fails to comply with any order issued pursuant thereto, shall be guilty of a misdemeanor of the first degree, be subject to up to six months in jail, a fine of not more than one thousand dollars ($1,000) per violation, and the forfeiture of all fees paid to date.

(b) Appropriate actions and proceedings may be taken by law or in equity to prevent any violation of these Subdivision Regulations; prevent unlawful construction; recover damages; or restrain, correct, or abate a violation. These remedies shall be in addition to the penalties described above.