

REVISIONS – ENFORCEMENT

152.130 – RECORDING OF PLAT

No plat of any subdivision shall be recorded by the County Recorder of Montgomery County or have any validity until said plat has received final approval in the manner prescribed in these regulations.

152.131 – REVISION OF PLAT AFTER APPROVAL

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

152.132 – SALE OF LAND WITHIN SUBDIVISIONS

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 plat of the subdivision before such plat has been approved and recorded in the manner prescribed in these regulations. 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.

152.133 – SCHEDULE OF FEES, CHARGES, AND EXPENSES

The City Council shall establish a schedule of fees, charges and expenses, and a collection of procedure for the same, and other matters pertaining to these regulations. The schedule of fees shall be posted in the office of the City Clerk, and may be altered, or amended only by the City Council. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

152.134 – PENALTIES

The following penalties shall apply to the violations of these regulations:

- A. Whoever violates any rule or regulation adopted by the City Council for the purpose of setting standards and requiring and securing the construction of improvements within a subdivision or fails to comply with any order pursuant thereto is creating a public nuisance and the creation thereof may be enjoined and maintenance thereof may be abated by action at suit of the City or any citizen thereof. Whoever violates these regulations shall forfeit and pay not less than ten dollars (\$10.00) nor more than one thousand dollars (\$1,000.00). Such sum may be recovered with costs in a civic action brought in the Court of Common Pleas of Montgomery County.

- B. A county Recorder who records a plat contrary to the provisions of those regulations shall forfeit and pay not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00), to be recovered with costs in a civil action by the prosecuting attorney in the name and for the use of Montgomery County.
- C. Whoever, being the owner or agent of the owner of any land within or without a municipal corporation, 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 each lot, parcel, or tract of land sold. The description of such lot, parcel, or tract by metes and bounds in the deed or transfer shall not serve to exempt the seller from the forfeiture provided in this section. If such land is within a municipal corporation, such sum may be recovered in a civil action brought in the Court of Common Pleas of Montgomery County by legal representative of the City in the name of the City.
- D. Any person who disposes of, offers for sale or lease for a time exceeding five 95) 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 each 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 City Treasurer for the use of the City.

152.135 – VARIANCES

The following regulations shall govern the granting of variances:

- A. Where the City Planning Commission finds that extraordinary and unnecessary hardship may result from strict compliance with these regulations, due to exceptional topographic or other physical conditions, it may vary the regulations so as to relieve such hardship, provided such relief may be granted without detriment to the public interest and without impairing the intent and purpose of these regulations or the desirable development of the neighborhood and community. Such variations shall not have the effect of nullifying the intent and purpose of these regulations, the Comprehensive Plan, or the Zoning Ordinance.
- B. In granting variances or modifications, the city Planning commission may require such conditions as will, in its judgment, secure substantially the objective of the standards or requirements so varied or modified.

152.136 – APPEAL

Any person who believes he has been aggrieved by the regulations or actions of the City Planning Commission has all the rights of appeal as set forth in Chapter 711 of the Ohio Revised Code or any other applicable section of the Ohio Revised Code.