

SUBDIVISION ORDINANCE NO. 95-5

AN ORDINANCE PROVIDING RULES AND REGULATIONS FOR NEW SUBDIVISIONS AND ANY UNDEVELOPED SUBDIVISION WITHIN THE CORPORATION LIMITS OF THE VILLAGE OF SOUTH POINT AND DECLARING AN EMERGENCY.

Now, therefore, be it ordained by the Council of the Village of South Point, Lawrence County, Ohio that:

SECTION 1: Compliance required. No plat of subdivision of land within the village corporate limits thereof shall be approved excepting in full compliance with the provisions of this ordinance.

SECTION 2: Definitions. When used in this ordinance the following terms shall have the meaning indicated:

(1) Owner includes the plural as well as the singular, and may mean either a natural person, firm, association, partnership, private corporation, public or quasi-public corporation, or combination of any of them.

(2) Subdivision is a division of a lot, tract, or parcel of land into three (3) or more lots, each containing a minimum of 7,500 square feet, or other divisions of land, for the purpose whether immediate or future, of (a) transfer of ownership, (b) building development, or (c) redevelopment, including all changes in street or lot lines.

(3) Final plat is a map or chart of a subdivision which has been accurately surveyed, and such survey marked on the ground so that streets, alleys, blocks, lots and other divisions thereof can be identified.

(4) Street is a public or private thoroughfare which affords primary access by pedestrians and vehicles to abutting property. The minimum width of a street right-of-way is to be not less than 30 feet.

(5) Cul-de-sac is a street having one open end and being terminated at the other by a vehicular turnaround. The radius of this cul-de-sac is to be not less than 30 feet.

(6) Building setback line is a line within a lot or other parcel of land, so designated on the plat of the proposed subdivision, between which, and the adjacent boundary of the street upon which the lot abuts, the erection of an enclosed structure or portion thereof is prohibited. (a) The minimum setback from the front line to the structure shall be 25 feet. (b) The minimum side setback from the abutting line shall be 5 feet.

(7) Alley is a public way which affords a secondary means of access to abutting property.

(8) Easement is the quantity of land set aside or over which a liberty, privilege, or advantage in the land without profit, existing distinct from the ownership of the land, is granted to the public or some particular person or part of the public.

(9) Village is the village of South Point.

(10) Plan commission is the Village Council. (Three members appointed.)

(11) Butt lots are lots the rear lot lines of which abut the side lot lines of other lots platted in the same block and not separated therefrom by an alley or other open space.

(12) Council is the South Point Village Council.

(13) Administrator is the South Point Village Administrator.

SECTION 3. Procedure. Before dividing any tract of land into three (3) or more lots of less than five (5) acres in size, a subdivider shall:

(1) After receiving recommended final approval by the plan commission the original and (1) copy of the final plat shall be presented to the village council for its final approval by the property owner or legal advisor.

(2) Following final approval by the village council, the final plat as approved may be legally recorded in compliance with the laws of the state.

SECTION 4: Final plat. The final plat shall contain all information required (including contours) plus the following:

A. Description and delineation:

(1) Accurate angular and lineal dimensions for all lines, angles, and curves used to describe boundaries, streets, alleys, easements, areas to be reserved for public use and other important features.

(2) An identification system for all lots and blocks and names of streets. Lot lines to show dimensions in feet and hundredths.

(3) True angles and distances to the nearest established street lines or official monuments (not less than three) which shall be accurately described in the plat.

(4) Pipes or other physical markers shall be placed at each lot corner.

(5) Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, with the purposes indicated thereon, and of any area to be reserved by deed, covenant for common uses of all property owners.

(6) Certification by a licensed surveyor to the effect that the plat represents a survey made by him and that monuments and markers shown thereon exist as located.

(7) Notarized certification, by owner, or by any mortgage holder on record, of the adoption of the plat and the dedication of streets and other public areas.

(8) Certifications showing that all taxes and special assessments due on the property to be subdivided have been paid in full.

(9) Proper form for the approval by the village council with space for signatures.

(10) Approval by signature of village, county, and state officials concerned with the specification of utility installations.

SECTION 5: Agreements as to improvements. The final plat to be placed on record shall be accompanied by a statement signed by the owner and subdivider, setting forth the following:

A. Plans and specifications for such improvements previously approved by the Village clearly describing the same.

B. Agreement - No subdivision shall be approved without complete compliance of this ordinance in which the Village Council is satisfied that all streets, curbs, storm drains and cul-de-sacs are installed before final approval or that an insurance bond shall be submitted for the same; and that all such improvements shall be inspected during the course of construction by an inspector appointed by the Village Council, salaries and other costs in connection with such inspections to be paid by the owner and subdivider, such costs to be based on the reasonable, customary charges for such service.

C. In the event that the Village Council by motion approves the final plat, it shall withhold its approval of the plat until an agreement signed by the subdivider, as provided in paragraph B above, shall be given.

SECTION 6: Required land improvements. No final plat of subdivision of land shall be approved without receiving a statement signed by the Village Administrator certifying that the improvements described in the subdivider's plans and specifications, together with agreements, meet the minimum requirements of all ordinances of the village and, as established by the village council, that they comply with the following:

A. Sewer Systems.

(1) The sanitary sewer system shall be installed by the village and each tap shall be paid by the owner of the subdivision at the time of the installation and shall serve all properties in the subdivision.

(2) Provisions shall be made for adequate surface drainage providing the village does not have storm sewers. However, if the village has storm sewers, the owner shall be required to install storm sewers adequate to serve the entire subdivision, at the expense of the owner. The storm water drainage shall be separate and independent of the sanitary sewer system. The storm water drainage line shall be constructed of an approved material and not less than twelve (12) inches in size.

(3) Water System. The Village shall install water lines including fire hydrants and each tap shall be paid by the owner of the subdivision at the time of the installation and shall serve all properties in the subdivision.

(4) All plans for sanitary sewers and water system must meet with the approval of the Village Administrator before final acceptance is made by the council.

B. Street improvement.

(1) All streets within the corporate limits of the village other than state and county highways shall be improved with pavements to an overall width in accordance with the following minimum dimensions including street curbs with storm drains:

Type	Pavement width
Street	22 feet
Cul-de-sac	30 feet

(2) Pavement shall be six (6) inches thick Portland cement concrete, or be surfaced with bituminous concrete not less than four (4) inches thick over a base of crushed stone or gravel installed in two courses, not less than six (6) inches thick after compaction.

(3) Storm water inlets and catch basins shall be provided within the curbs of the roadway improvements at points specified by the village council.

SECTION 7: This ordinance shall apply to all newly proposed subdivisions and to any old subdivision previously accepted by the village but not developed at the time of the passage of the ordinance.

SECTION 8: No approved subdivision will be altered without the approval of the Village Council.

SECTION 9. Violation penalty.

A. Whoever shall violate any of the provisions of this ordinance shall be fined not more than \$1,000.00 for each offence.

SECTION 10. Repealing former action. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 11. This ordinance is hereby declared to be an emergency measure in that public peace, welfare, health and safety of the citizens of this village are involved and shall become effective immediately upon passage.

ADOPTED THIS 21st DAY OF February 1995.

William A. Haskin
MAYOR

Scott Thomas
CLERK

First Reading Approved January 17, 1995
Second Reading Approved February 7, 1995
Third Reading Approved February 21, 1995