

Subdivision Regulations Of the Village of Sugarcreek, Ohio

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ARTICLE I
TITLE, PURPOSE AND INTENT

Section 100. Title.

This ordinance shall be known and may be cited and referred to as the "Subdivision Regulations of the Village of Sugarcreek" or "Subdivision Regulations."

Section 101. Purpose and Intent.

The purpose of this ordinance is to establish subdivision standards and procedures which will promote the public health, safety, convenience, comfort, prosperity, and general welfare of the residents of the Village of Sugarcreek, Ohio through pursuit of the following objectives:

- (a) Orderly development of land to obtain harmonious and stable residential, commercial and industrial areas;
- (b) Safe and convenient vehicular and pedestrian circulation;
- (c) Accurate surveying of land, preparation and recording of plats;
- (d) Assurance that subdivision improvements are properly installed and completed in compliance with the specifications and standards established by the Village; and,
- (e) Coordination of land development in accordance with the Zoning Ordinance.

Section 102. Authority.

The Planning Commission derives its authority to regulate subdivisions by virtue of the statutes contained in Ohio Revised Code Chapter 711. Administration of the rules and regulations contained herein shall be the responsibility of the Planning Commission.

Section 103. Scope.

These regulations shall not apply to any lot or lots forming a part of a subdivision created and recorded prior to the effective date of these regulations. It is not intended for these regulations to repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or regulations, except those specifically repealed by these regulations. Where these regulations impose a greater restriction upon land than is imposed or required by such existing provisions of law, resolution, contract, or deed, the provision of these regulations shall control.

Section 104. Jurisdiction.

104.1 The provisions of this ordinance shall apply to all plats, subdivisions and conveyances of land. The Planning Commission shall have the power of the final approval of the plats.

104.2 No land shall be subdivided within the Village of Sugarcreek until:

- (a) The subdivider has submitted plats as described by these Subdivision Regulations,
- (b) Plats have been approved as provided herein, and
- (c) Approved plats have been recorded in the Office of the Tuscarawas County Recorder.

104.3 No building permit, zoning permit, or certificate of occupancy shall be issued for any parcel of land which was created by subdivision after the effective date of, and not in conformity with, the provisions of this ordinance.

Section 105. Public Hearings.

The Planning Commission, may, on its own motion or upon the petition by any citizen or neighboring property owners, prior to acting on a preliminary subdivision map for any subdivision, hold a hearing thereon at such time and place and upon such notice as the Commission may designate. All interested parties shall be entitled to be heard at such hearing.

Section 106. Amendments.

The Council may, after public hearing and recommendation from the Planning Commission, amend, supplement, or change these regulations. Notice shall be given of the time and place of such public hearing by publication in at least one (1) newspaper of general circulation thirty (30) days prior to holding said hearing. The text of the amendment or amendments shall be on file in the office of the Clerk-Treasurer for public examination during the said thirty (30) days.

ARTICLE II DEFINITIONS

Section 200. Definitions.

For the purpose of these regulations, the following terms are defined:

Alley: A service roadway providing a means of public access to abutting property and not intended for general traffic circulation. (Ord. 17-2198. Passed 7-17-17.)

Block: A piece or parcel of land entirely surrounded by public highways, public streets, railroad right-of-way, parks, streams, lakes, or bodies of water, or combination of aforesaid bounds.

Building Site: That portion of the lot or parcel of land upon which the building and appurtenance are to be placed, or are already existing, including adequate areas for sewage disposal, clearance, proper drainage and appropriate easements.

Building Setback Line: The line indicating the minimum distance permitted between an existing or proposed building and a lot line as regulated by the Zoning Ordinance. (Ord. 17-2198. Passed 7-17-17.)

Construction Standards: The standards, specifications, and policies approved and amended from time to time as necessary by the Village for the proper design, documentation, inspecting, testing, maintenance, ownership, and operation of improvements.

Developer: Any person, partnership or corporation or duly authorized agent who constructs or contracts to construct improvements on subdivided land.

Easement: A grant by a property owner for specified use of land to a corporation, partnership, person or persons, or to the public.

Engineer, Professional: A person registered as a professional engineer by the Ohio State Board of Registration for Professional Engineers and Surveyors.

Engineer, Village: The engineer of the Village of Sugarcreek.

Improvements: Street pavements, curb and gutter, sidewalks, water mains, sanitary and storm sewers, street trees and other forms of construction.

Performance Bond Agreement: A legally binding document executed by the subdivider and the Village Council which describes the commitments, responsibilities, and authorities of each party in the design, approval, construction, inspection, finance, maintenance, and use of improvements constructed for a subdivision.

Plat, Final: A complete and exact subdivision plan prepared for official recording as required by statute.

Plat, Preliminary: A map upon which the subdivider's plan of the subdivision for lots, rights-of-way and other features is drawn and which is submitted for the approval of the Planning Commission.

Reserve: A parcel or parcels of land within a subdivision intended for future use.

Street: A public roadway which affords primary means of access to abutting properties. A street shall also encompass any abutting public strip of land that is intended to be occupied by public infrastructure improvements including but not limited to curbs, tree lawns, sidewalks, lighting and drainage facilities. (Ord. 17-2198. Passed 7-17-17.)

Subdivide: The act of dividing or assembling one or more existing lots of land into one or more new lots of land and or rights-of-way, in conformance with the requirements of this Subdivision Ordinance, and may include the installation of improvements.

Subdivider: Any person, persons, corporation who owns property proposed to be subdivided, or the duly authorized agent of such owner, who undertakes the subdivision of land.

Subdivision:

- (a) The division of any parcel of land shown as a unit or as contiguous units on the last preceding general tax list and duplicate of real and public utility property, into two or more parcels, sites or lots, any one of which is less than five acres, for the purpose, whether immediate or future, of transfer of ownership, provided, however, that the following are exempt:
 - (1) A division or partition of land into parcels of more than twenty acres not involving any new streets or easements of access;

- (2) The sale or exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites; or,
 - (3) The division or partition of land into parcels of more than five (5) acres and up to and including twenty (20) acres not involving any new streets or easements of access, provided it is determined pursuant to these regulations that such parcels are to be used only for agricultural or personal recreational purposes. (Ord. No. 07-1842. Passed 08-06-07.)
- (b) The improvement of one or more parcels of land for residential, commercial or industrial structures or groups of structures involving the division or allocation of land for the opening, widening or extension of any street or streets, except private streets serving industrial structures; the division or allocation of land as open spaces for common use by owners, occupants or lease holders or as easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities.

Subdivision, Large Lot: Notwithstanding anything to the contrary in sections 711.001 to 711.13 of the Ohio Revised Code and pursuant to section 711.133 of said Code, a proposed division of a parcel of land along an existing public street, not involving the opening, widening, or extension of any street or road and involving the establishment of a lot that contains more than five acres and up to and including twenty (20) acres shall be submitted to the Planning Commission for approval without plat in accordance with these regulations. Provided, however, that lots containing more than five (5) acres and up to and including twenty (20) acres shall be exempt from the approval requirements contained herein, if it is determined pursuant to these regulations that such lots are to be used only for agricultural or personal recreational purposes. (Ord. No. 07-1842. Passed 08-06-07.)

Subdivision, Major: A subdivision of land other than a minor subdivision pursuant to R.C. section 711.131 or a large lot subdivision pursuant to R.C. section 711.133 unless such division is specifically exempted from these regulations, which requires the submission of a plat to the planning commission in accordance with these regulations. (Ord. No. 07-1842. Passed 08-06-07.)

Subdivision, Minor: Notwithstanding sections 711.001 to 711.13 of the Ohio Revised Code and pursuant to section 711.131 of said Code, a subdivision of land having frontage on an existing improved street or alley not involving the opening, widening, or extension of any street or alley and involving not more than five (5) lots after the original tract has been completely subdivided. (Ord. 17-2198. Passed 7-17-17.)

Surveyor, Professional: A person registered as a professional surveyor by the Ohio State Board of Registration for Professional Engineers and Surveyors.

**ARTICLE III
PROCEDURES**

Section 300. General.

- (a) Classification of Subdivisions. Upon the submission of an application for a proposed division of property, the Village shall classify the proposed division as a major subdivision, a minor subdivision, a large lot subdivision, or exempt. and shall review it in accordance with these regulations and Chapter 711 of the Ohio Revised Code.
- (b) Pre-application. Previous to the filing for tentative approval of the preliminary plat, the subdivider shall submit to the Planning Commission a sketch plan for review and discussion at a pre-application conference. The purpose of the conference shall be to present plans and data concerning the proposed subdivision, to review applicable regulations and procedures, and to obtain other information which may be useful in preparing the required plats. Submission of a sketch plan shall not constitute formal filing of either a preliminary or final plat. (Ord. No. 07-1842. Passed 08-06-07.)

Section 301. Procedures for Minor Subdivisions and Large Lot Subdivisions.

301.1 Minor Subdivisions. Minor Subdivision procedures shall be for the purpose of dividing small tracts of land, and shall not be used in staging development of large parcels of land, thereby shortcutting the normal preliminary and final platting procedures for Major Subdivisions. Approval of a minor subdivision may be granted by the Planning Commission, or its authorized representative, following the submission of a sketch plan indicating that the proposed division meets all of the following:

- (a) Conditions.
 - (1) The proposed subdivision is located along an existing improved public street or alley and involves no opening, widening, or extension of any street.
 - (2) No more than five lots are involved after the original parcel has been completely subdivided.
 - (3) No more than three (3) lots in a Minor Subdivision may have primary access from a single section of an alley between two intersecting streets or an intersecting street and the terminus of the alley.
 - (4) The proposed subdivision is not in conflict with applicable subdivision or zoning regulations.
 - (5) The property has been surveyed and a sketch and legal description of the property is submitted with the application.

- (6) The property owner or agent has disclosed locations of underground mines through consultation with the Ohio Department of Natural Resources (ODNR) Division of Mineral Resources Management (DMRM) using current information publicly available from the Abandoned Underground Mine Locator Web Site.
 - (7) Any grantee of a deed for property within the minor subdivision shall sign and submit the Abandoned Mine Lands (AML) Disclosure form. (Ord. 17-2198. Passed 7-17-17.)
- (b) Approval. If the sketch plan meets the above conditions, the authorized representative of the Planning Commission, within seven (7) days after receiving a complete application, shall stamp the plan "Approved, No Plat Required". The appropriate transfer may then be recorded. If the authorized representative cannot make a clear determination that the proposed division is not contrary to applicable regulations, the representative shall, within seven (7) days after receiving a complete application, notify the applicant that the proposed division is disapproved or that the sketch plan shall be submitted to the Planning Commission for final review and approval.
 - (c) Expiration of Approval. Approval of a minor subdivision shall expire sixty (60) days after the approval is granted unless the plat is recorded in the Office of the County Recorder prior to the date of expiration. (Ord. No. 07-1842. Passed 08-06-07.)

301.2 Large Lot Subdivisions. Approval of a large lot subdivision may be granted by the Planning Commission, or its authorized representative, following the submission of a sketch plan indicating that the proposed division meets all of the following:

- (a) Conditions.
 - (1) The proposed subdivision is located along an existing public way and involves no opening, widening, or extension of any street;
 - (2) The proposed subdivision involves the creation of lots that contain more than five (5) acres and up to and including twenty (20) acres;
 - (3) The proposed subdivision lots shall have an average lot depth not to exceed three and one-half (3 ½) times its average width. Average lot depth shall be the horizontal distance between the front and the rear lot lines measured along the median between the two side lot lines.
 - (4) The proposed subdivision lots will not be used solely for agricultural or personal recreation purposes;
 - (5) The proposed subdivision is not in conflict with applicable health, sanitary, access management, subdivision or zoning regulations;

- (6) The property has been surveyed and a sketch and legal description of the property is submitted with the application.
- (8) The property owner or agent has disclosed locations of underground mines through consultation with the Ohio Department of Natural Resources (ODNR) Division of Mineral Resources Management (DMRM) using current information publicly available from the Abandoned Underground Mine Locator Web Site.
- (9) Any grantee of a deed for property within the minor subdivision shall sign and submit the Abandoned Mine Lands (AML) Disclosure form.

(Ord. No. 09-1939. Passed 11-02-09.)

- (b) Approval. If the sketch plan meets the above conditions, the authorized representative of the Planning Commission, shall stamp the plan "Approved, No Plat Required". The appropriate transfer may then be recorded. If the authorized representative cannot make a clear determination that the proposed division is not contrary to applicable regulations, the sketch plan shall be submitted to the Planning Commission for final review and approval. Approval of the proposed division after the submission of a complete application shall be made as follows:

Number of Lots	Up to the Number of Days
1 – 6	7 calendar days
7 – 14	14 calendar days
15 or more	21 calendar days

- (c) Expiration of Approval. Approval of a large lot subdivision shall expire sixty (60) days after the approval is granted unless the plat is recorded in the Office of the County Recorder prior to the date of expiration.
- (d) Exemptions from Large Lot Subdivision Regulations.
 - (1) Parcels of land to be used only for agricultural or personal recreational purposes as such terms are defined in these regulations shall be exempt from the approval requirements set forth in this section. Upon the submission of a completed and executed affidavit, approved as to form by the Village solicitor, setting forth the pertinent exemption as it applies to the subject parcel and an instrument of conveyance that contains a restrictive covenant running with the land that the parcel described therein shall be used solely for agricultural or personal recreational purposes, the authorized representative of the Planning Commission shall, within seven (7) calendar days, act to authorize the

instrument of conveyance to be stamped "Approved, No Plat Required - For Agricultural Use Only" or "Approved, No Plat Required - For Personal Recreational Use Only."

- (2) Nothing herein excludes, or shall be construed as excluding, parcels that are exempt under this section as being used only for agricultural or personal recreational purposes, from the provisions of these regulations for any future divisions or partitions of those parcels.
- (3) When parcels of land that are exempt under this section from the approval requirements specified herein are subsequently to be used for other than agricultural or personal recreational purposes, the planning commission shall first determine that such parcels comply with the regulations adopted herein pertaining to large lot subdivisions. (Ord. No. 07-1842. Passed 08-06-07.)

Section 302. Preliminary Plat Procedures for Major Subdivisions.

302.1 Every subdivider desiring to create a major subdivision as defined by this ordinance shall prepare and submit a preliminary plat. The following process shall apply to the submittal, review, and approval of preliminary plat for major subdivision:

- (a) Submittal. The subdivider shall prepare and submit to the Village Hall five (5) copies of a preliminary plat, including all information required for a preliminary plat by the provisions of this ordinance. The plat shall be submitted at least ten (10) working days prior to the Planning Commission meeting at which it is to be reviewed.
- (b) Review. The preliminary plat shall be distributed to appropriate Village officials for review for compliance with all applicable requirements. The results of such reviews shall be made available to the Planning Commission and to the subdivider.
- (c) Planning Commission Review and Action. The Planning Commission shall review the preliminary plat and related materials and shall take action within sixty (60) days after the regularly scheduled meeting at which the preliminary plat is first reviewed unless such time is extended by agreement with the subdivider or his agent. The Commission may approve the plat as submitted or modified, or conditionally approve the plat and stipulate the conditions of such approval, or disapprove the plat and express the reasons therefor. The action of the Commission shall be noted on two (2) copies of the preliminary plat. One copy shall be returned to the subdivider and the other retained by the Village.

- (d) Effect of Approval. Approval of a preliminary plat shall not constitute approval of the final plat, but shall be deemed an expression of approval of the layout as a guide to preparation of the final plat. Preliminary plat approval shall be effective for one (1) calendar year. The Planning Commission may grant extensions of the preliminary plat approval of up to one (1) calendar year.

302.2 A preliminary plat shall be prepared by a professional engineer or professional surveyor and shall include, as applicable, the following:

- (a) A vicinity map drawn at a scale of not less than one inch equals four hundred feet (1"=400') describing the vicinity of the property proposed to be subdivided and including: the boundary lines of adjoining properties within an area bounded by the nearest arterial or collector streets or other natural boundaries; the current use of adjoining land; the current zoning districts of adjoining land; the ownership of adjoining land; and the alignments of existing streets.
- (b) Location of the proposed subdivision by legal description.
- (c) Name and address of the subdivider, the name and seal of the professional engineer or professional surveyor who prepared the preliminary plat, and the name of the designer of the plat.
- (d) Proposed name of the subdivision. The name shall not duplicate, be the same in spelling, or alike in pronunciation with any other recorded subdivision in the County.
- (e) The plat shall be drawn at a scale not smaller than one inch to fifty feet (1"=50'), unless otherwise allowed by the Planning Commission, but in no case smaller than one inch to one hundred feet (1"=100').
- (f) North point.
- (g) Date of preparation.
- (h) Total acreage within the proposed subdivision.
- (i) Boundary line of the proposed subdivision.
- (j) The current use and zoning district of the property to be subdivided.
- (k) Preliminary delineation of the phases of the subdivision, that is, the parts of the subdivision proposed to be presented for one or more final plat approvals, their sequence and scheduling.
- (l) Locations of or reference to locations of existing monuments or survey markers used in preparation of the survey and the grade elevation of each monument and marker.
- (m) Topographic data including existing and proposed contours, at vertical intervals of not more than two feet watercourses, marshes, rock outcrops, and other

- significant features including wetlands as defined by the standards of the US Army Corps of Engineers and the Ohio Environmental Protection Agency.
- (n) Layout, numbers and typical dimensions of lots to the nearest foot for each existing and proposed lot.
 - (o) Minimum building setback lines indicating dimensions.
 - (p) Parcels of land intended to be reserved for public uses or to be reserved by covenant for residents inhabiting the subdivision.
 - (q) Locations, widths and names of all existing or previously platted streets or other rights-of-way, showing types of improvement, if any, railroad and utility rights-of-way and easements, parks and other public open spaces, existing permanent buildings and structures, and existing lot, section, tract, and corporate lines within the proposed subdivision and to a distance of 200 feet beyond the proposed subdivision.
 - (r) Locations of proposed streets, alleys, pedestrian ways, and utility easements, indicating proposed dimensions and names.
 - (s) Locations and sizes of existing sanitary and storm sewers, water mains, gas lines, electric lines, culverts, aboveground drainage facilities, other underground and aboveground facilities within the proposed subdivision and to a distance of 200 feet beyond the subdivision, also indicating such data as grades, invert elevations and locations of catch basins, manholes and hydrants.
 - (t) Preliminary layout for proposed systems and connections to existing water and sanitary sewer systems and for the collection and discharge of surface water drainage, including the locations and sizes of proposed facilities.
 - (u) Locations of underground mines as determined through consultation with the Ohio Department of Natural Resources (ODNR) Division of Mineral Resources Management (DMRM) using current information publicly available from the Abandoned Underground Mine Locator Web Site. (Ord. No. 09-1939. Passed 11-02-09.)

Section 303. Pre-construction Procedures.

After receiving notice of the approval of the preliminary plat and prior to the filing of the final plat, the subdivider shall present to the Commission typical sections and complete profiles of streets and other related improvements to be constructed in the proposed subdivision prepared by a registered engineer. The Commission, upon recommendation of the Village Engineer, shall notify the subdivider of any recommended changes or suggestions so that the subdivider may prepare the final improvement plans and final plat.

Section 304. Final Plat Procedures for Major Subdivisions.

304.1 Every subdivider desiring to create a major subdivision shall prepare and submit a final plat for major subdivision. The following process shall apply to the submittal, review, and approval of final plat for major subdivision.

- (a) Submittal. The subdivider shall prepare and submit to the Village Hall five (5) copies of the final plat, including all information required for a final plat by the provisions of this ordinance. The plat shall be submitted at least ten (10) working days prior to the Planning Commission meeting at which it is to be reviewed.
- (b) Review. The preliminary plat shall be distributed to appropriate Village officials for review for compliance with all applicable requirements. The results of such reviews shall be made available to the Planning Commission and to the subdivider.
- (c) Planning Commission Review and Action. The Planning Commission shall review the final plat and related materials and shall take action within thirty (30) days after the regularly scheduled meeting at which the final plat is first reviewed unless such time is extended by agreement with the subdivider or his agent. The Commission may approve the plat as submitted or modified, or conditionally approve the plat and stipulate the conditions of such approval, or disapprove the plat and express the reasons therefor. The action of the Commission shall be noted on three (3) copies of the preliminary plat. One copy shall be returned to the subdivider, one copy shall be retained by the Street Superintendent and the other retained by the Village.
- (d) Resubmission of Disapproved Final Plat. If a final plat is disapproved by the Planning Commission, the grounds for disapproval shall be stated on the record of the Commission, including reference to the regulation violated by the plat, and a copy of said record shall be forwarded to the subdivider or his agent. The subdivider or his agent shall make the necessary correction and resubmit the final plat within sixty (60) days to the Commission for approval.
- (e) Approval. The subdivider or his agent shall be notified of the final approval of the plat by the Commission.

304.2 The final plat shall incorporate all changes or modifications required by the Planning Commission and Village Engineer; otherwise it shall be in conformance with a previously approved preliminary plat. With the approval of the Planning Commission, a final plat may be submitted for a phase or portion of a subdivision provided that such portion conforms with all requirements of these regulations. A final plat shall include, as applicable and as determined by the Planning Commission, the following:

- (a) Proposed name of the subdivision.
- (b) Location by city, county and by original lot or other legal description.
- (c) Name and address of the subdivider, name and seal of the professional engineer or professional surveyor and designer of the plat. If the subdivider is not the owner of the property, the subdivider shall submit evidence of authority to act in behalf of the owner in form satisfactory to the City Solicitor.
- (d) North point and scale.
- (e) Date of preparation.
- (f) Boundary line of proposed subdivision clearly indicated.
- (g) Total acreage within the area of the subdivision or phase of subdivision.
- (h) Layout of streets showing right-of-way widths and street names.
- (i) Locations and widths of alleys, pedestrian ways and utility easements.
- (j) The radii, arcs, chord, and chord bearings, points of tangency and central angles for all curvilinear streets and radii for rounded corners.
- (k) An identification system for all lots and blocks. Lot lines shall show dimensions in whole feet and hundredths of feet, and when an angle occurs in any lot line between lot corners, the measurements of the angle shall be shown. The acreage of all lots over one (1) acre shall be indicated.
- (l) Accurate locations of all monuments.
- (m) Accurate outlines and legal descriptions of any areas, excluding streets, to be dedicated or reserved for public use, to be reserved for other purposes, or for the exclusive use of property owners within the subdivision with the purposes indicated thereon. Statements signed by the Owner setting forth the rights associated with the easements and reserve parcels shown on the plat.
- (n) A list of all restrictions and covenants, if any, intended to be included in the deeds to the lots in the subdivision.
- (o) Required statements, acknowledgements, certifications, and approvals as necessary in form approved by the Village including:
 - (1) Owner's Acknowledgment.
 - (2) Notary's Certificate.
 - (3) Surveyor's Certificate.
 - (4) Planning Commission Approval.
 - (5) Certificate as to Improvements.
 - (6) Certificate as to Street Names.
 - (7) Any applicable State Approvals and Certifications.
 - (8) Abandoned Mine Lands (AML) Disclosure.

(Ord. No. 09-1939. Passed 11-02-09.)

- (p) A delineation of wetlands, prepared according to the standards established by the United States Army Corps of Engineers and the Ohio Environmental Protection Agency, evidence of compliance with the regulations thereof and evidence that any required permits have been obtained.

304.3 The following items shall also be submitted with the final plat, as required by the Planning Commission:

- (a) A certificate showing that all improvements have been installed and approved by the appropriate officials or agencies, or;
- (b) An instrument of security assuring the installation of required improvements including:
 - (1) The Improvement Plans for the subdivision as required by these regulations, by the Construction Standards, and by all other regulations of the Village.
 - (2) Construction cost estimate, prepared by a professional engineer, of the projected costs of the proposed improvements based on reasonable and current prices.
 - (3) Performance Bond Agreement, bonds, insurance, guarantees, and title search as may be required by these regulations, the Village Engineer, or the Planning Commission.

Section 305. Recording of Major Subdivision Plat

The subdivider shall submit the final plat to the Office of the Recorder of Tuscarawas County and successfully complete all requirements for filing for record within six (6) months from the date of approval by the Planning Commission. The subdivider shall provide to the Village a copy of the final plat as recorded.

Approval of a final plat shall expire one (1) year after the approval is granted unless the plat is recorded in the Office of the County Recorder prior to the date of expiration. The Planning Commission may grant extensions of final plat approval of up to twelve (12) months each.

ARTICLE IV
SUBDIVISION DESIGN STANDARDS

Section 400. General.

The Subdivision Regulations, principles, standards and requirements set forth herein shall be applied by the Planning Commission in evaluating the proposed subdivision plans under consideration. However, if physical conditions interfere, the Planning Commission may alter or waive requirements so as to carry out the overall intent that these standards are considered necessary for the protection of health, safety, morals and welfare of the general public.

Section 401. Improvements Required.

The subdivider shall, at his expense, design, construct, and install the improvements required by this Subdivision Ordinance. All improvements shall comply with the provisions of this Ordinance and with the approved Construction Standards. The specifications and requirements of the Village of Sugarcreek shall in all respects govern the construction of all improvements.

Section 402. Construction Standards.

Consistent with the intent and provisions of this Subdivision Ordinance, the Village shall prepare or cause to be prepared such standards, specifications, and policies regarding the location and design of improvements as deemed necessary for the proper design, documentation, inspecting, testing, maintenance, ownership, and operation of such improvements. A written record shall be maintained of such adopted standards, which shall be known as the "Construction Standards". Copies shall be made available to the public. Such Standards may be modified from time to time to reflect current engineering and construction practices. (Ord. No. 07-1842. Passed 08-06-07.)

Section 403. Minimization of Impacts.

Every subdivision shall be designed in a manner which minimizes to the extent possible the creation of impacts such as traffic, storm runoff, geotechnical hazards, sanitary waste, or water demand which exceed the capacity of the improvements planned for the area. Streets shall be logically related to the topography so as to produce usable lots and reasonable grades. (Ord. No. 09-1939. Passed 11-02-09.)

Section 404. Standards for Improvement Plans.

- (a) The subdivider shall submit complete Improvement Plans which describe the improvements to be constructed. Such descriptions shall be known as the "Improvement Plans" and shall consist of such drawings, plans, reports, and other forms of information as deemed necessary to ensure conformance with the provisions of this Ordinance and with the Construction Standards.
- (b) Improvement Plans shall be clearly and legibly drawn. For each required submittal, the subdivider shall submit to the Village two (2) set of plans. The Village shall establish standards for document sizes, drawing scales and other requirements for Improvement Plans.
- (c) Improvement Plans shall be prepared under the direction of a professional engineer who shall sign the plans as evidence thereof.
- (d) Improvement Plans shall include as applicable, but shall not be limited to, plans, profiles, and details for all monuments, lots and blocks, easements, streets, pedestrian ways, signs, water supply, sanitary sewer, storm water drainage, other utility improvements, landscaping, erosion and sediment control, trees and natural features, reserves and public sites, and other improvements which may be required by this Subdivision Ordinance.
- (e) All of the required improvements shall be made in full compliance with the specification required by the Village Engineer and the County Board of Health, as applicable, according to the nature of the improvements. Upon final approval of the construction plans, a copy on permanent reproducible material and five (5) sets of all construction and utility plans shall be submitted to the Village.

Section 405. Monuments.

Permanent monuments shall be set under the direction of a professional surveyor according to the requirements of Ohio Revised Code Section 711.01 and Section 711.03. All U.S., State, County, City or other official bench marks, monuments or triangulation stations in or adjacent to the property shall be preserved in precise position.

Section 406. Lots and Blocks.

- (a) Lots.
 - (1) Every lot shall be of a shape and location and with topographic and subsurface characteristics to make it suitable for use or construction of buildings in a manner in conformance with the Ordinances of the Village. (Ord. No. 09-1939. Passed 11-02-09.)

- (2) No lot shall be created with a lot frontage or lot width that is less than the minimum width required by Section 500.1 of the Zoning Code. No corner lot shall have a width at the required building setback_line of less than seventy-five (75) feet in order to permit appropriate building setback and orientation to both streets.
 - (3) Side lot lines shall be substantially at right angles to street lines and radial to curved street lines except where, in the determination of the Planning Commission, a variation will provide a better street and subplot layout.
 - (4) Lots shall be as nearly rectangular as possible. The average depth of a lot shall not exceed three and one-half times its average width unless approved by the Planning Commission.
 - (5) Every lot in a Major Subdivision shall abut on an improved public street. An alley shall not serve as the primary access to lots in a Major Subdivision; however, the Planning Commission may permit alleys in a Major Subdivision as a secondary means of access; provided that no more than three (3) lots may have primary access from a single section of an alley between two intersecting streets or an intersecting street and the terminus of the alley.
 - (6) Double frontage lots, being lots other than corner lots having frontage on more than one street, may be permitted by the Planning Commission if: one frontage is on an arterial street and vehicular access from that street is prohibited; or topographic or other conditions render subdividing otherwise unreasonable. Irregularly shaped lots shall be avoided. The Planning Commission may require that lots containing or abutting a watercourse, drainage way, channel or stream be platted with additional depth or width to provide an acceptable building site and lot area suitable for its intended use.
 - (7) No lot shall be subdivided after acceptance of the original plat except as provided for in the Zoning Ordinance. (Ord. 176-2198. Passed 7-17-17.)
- (b) Blocks. Blocks shall be designed in a manner which conforms with all requirements of this Ordinance and with the Zoning Ordinance, particularly with regard to requirements for streets, pedestrian ways, lot dimensions, and uses of the land.

Section 407. Easements.

- (a) Easements shall be provided for any overhead or underground utility service, including storm water drainage, where required by the Planning Commission.
- (b) A utility easement shall be provided along the rear of every lot and along such other lot lines as required to provide a continuous and usable easement area.
- (c) Where a subdivision is traversed by an open water course, drainage way, channel, or stream, there shall be provided a drainage easement conforming substantially with the lines of such watercourse or floodplain and including an additional area at least fifteen feet wide beyond the floodplain.
- (d) Where a subdivision is traversed by an enclosed storm sewer or by a sanitary sewer, an easement shall be provided for the purposes of operation, maintenance, repair, and replacement of such sewer.

Section 408. Streets.

- (a) General Criteria. The design and location of streets shall conform to the following general criteria:
 - (1) Streets shall be arranged to provide for the continuation of existing streets. Extensions shall be provided to adjoining properties for future access.
 - (2) Local residential streets shall be arranged to discourage through traffic while providing for interconnection of neighborhoods and reasonable access for safety and service vehicles.
 - (3) Dead-end streets shall be prohibited except as stubs to permit future street extensions or when designed as cul-de-sacs.
 - (4) Curbs shall be required for all areas.
 - (5) The Village may require streets to be designed and constructed in a manner that minimizes the impact of any potential subsurface geotechnical hazards including but not limited to mining operations. (Ord. No. 09-1939. Passed 11-02-09.)

(b) Street Rights-of-Way and Pavement Width.

- (1) Right-of-Way and pavement width will vary depending on the character of development and the amount of traffic expected to utilize the street. Unless otherwise specified by the Planning Commission or Village Engineer, streets shall be platted and constructed with the following minimum widths:

Street Type	Minimum Right-of-Way Width (ft.)	Minimum Pavement Width (ft.)
Major Street	70	39
Collector Street	60	36
Minor Street	50	30
Cul-de-sac	50	30
Alley	20	16

- (2) Right-of-way width shall be measured along a line perpendicular to the lines delineating the edges of the right-of-way and extending from one right-of-way line to the opposite right-of-way line.
- (3) Pavement width shall be measured along a line perpendicular to the edge of the pavement where it abuts the curb and extending from one such pavement and curb line to the opposite such line.

(c) Street Alignment

- (1) Streets shall intersect as nearly as possible at an angle of 90 degrees, but not at less than 75 degrees nor at more than 105 degrees.
- (2) Tangents at least one hundred (100) feet long shall be introduced between reverse curves on collector streets.
- (3) Curb corners shall be constructed with radii as approved by the Street Superintendent based on the width of the intersecting streets, the angle of intersection, the nature of vehicular and pedestrian traffic, and the Construction Standards.
- (4) Horizontal and vertical alignments, including centerline radius, sight distance, minimum gradient, maximum gradient, and vertical curve length shall conform to the Construction Standards.

- (d) Cul-de-sac Streets. The maximum length of a cul-de-sac street shall be six hundred (600) feet measured along the centerline from the intersection with the centerline of the intersecting street to the center of the turnaround. The Planning Commission may approve a greater length.

- (e) Half Streets. Half streets, being streets platted or constructed with a right-of-way width or pavement width which is only a portion of that required by this Subdivision Ordinance for a full right-of-way or pavement width, shall be prohibited.
- (f) Street Names and Designations. Street names shall be approved by the Village Council. Names shall be selected so as to minimize confusion with existing street names in the Village of Sugarcreek or in Tuscarawas County. A street shall have the same name throughout its entire length.
- (g) Alleys. Alleys should be avoided in single-family and two-family districts. They may however, be required in apartment, commercial and industrial districts if no other provisions are made for adequate service access. Dead-end alleys are prohibited.
- (h) Street Construction.
 - (1) Pavements of asphalt with concrete curb and gutter, or concrete with integral curb, shall be installed in conformance with the Construction Standards. The pavement material may be specified by the Village for the purpose of compatibility with present or future planned streets. Requirements may be revised to require a concrete approach to an intersection where a proposed street connects to an existing public street. The extent of such approach shall be determined by the Village and based upon existing site conditions.
 - (2) Underdrains, curbs, subbase, storm water inlets, and other characteristics of street construction shall be in conformance with the Construction Standards.
 - (3) The subdivider shall have compaction of fill material tested by a responsible testing company at the subdivider's expense.
 - (4) All paving materials shall be tested at the subdivider's expense. During construction, samples of materials being used shall be taken and tested at such locations as the Village may request. All testing shall be done by an approved testing laboratory and in accordance with current Ohio Department of Transportation testing practices. Three (3) copies of the laboratory report for each sample shall be submitted to the Village. (Ord. No. 07-1842. Passed 08-06-07.)
- (i) Street Lighting. Street lights that differ from the specifications of the Village shall be installed in conformance with plans approved by the Village Engineer. Any additional costs associated with the change shall be paid by the subdivider.
- (j) Culverts and Bridges. Culverts and bridges shall be installed in conformance with plans approved by the Village Engineer.

- (k) Driveway Aprons. Driveway aprons shall be installed from the sidewalk or street line to the curb at all driveway locations in conformance with the Construction Standards. Each drive shall provide sufficient space and distance to permit a vehicle to enter the street in a forward facing direction.
- (l) Street Signs. The subdivider shall provide and install all traffic control, street name and parking signs at intersections and other locations as designated by the Village. All signage shall comply with the Construction Standards. Signage shall be installed prior to the opening of the street to traffic. (Ord. No. 07-1842. Passed 08-06-07.)

Section 409. Sidewalks.

In conformance with the Construction Standards, the subdivider shall install sidewalks on both sides of all new streets, in the public right-of-way and parallel to the street frontage. (Ord. 05-1757, Passed 06-20-05) The Village may require sidewalks to be designed and constructed in a manner that minimizes the impact of any potential subsurface geotechnical hazards including but not limited to mining operations. (Ord. No. 09-1939. Passed 11-02-09.)

Section 410. Water Supply.

- (a) Water supply improvements shall be installed by the subdivider in conformance with the requirements of the Village Engineer, Water Superintendent, the Ohio Department of Health, the Ohio EPA and the Construction Standards.
- (b) Unless otherwise required by the Village Engineer or Water Superintendent, the following standards shall apply:
 - (1) Water mains shall have a diameter of at least eight (8) inches.
 - (2) Service line connections shall be provided for each lot from the water line and extend to a curb box on each lot located approximately five (5) feet past the inside curb line as directed by the Village. All curb boxes shall be adjusted to the finished ground surface and shall be clearly marked "Water"
 - (3) Hydrants shall be installed by the subdivider in conformance with the Construction Standards and as approved by the Water Superintendent and the Fire Chief.
 - (4) Water main extensions shall be installed by the subdivider to the farthest point of the last lot being served by such water main except that, when extending across a corner lot, the main shall be extended into or across the intersecting right of way or easement to a point determined by the Village Engineer.

- (5) Water mains shall be installed in a manner that will permit supplying all points from two directions.
- (6) Valves shall be installed at intervals not exceeding one thousand (1,000) feet along water mains and at each leg of intersecting mains.
- (7) The Village may require that the subdivider install water mains larger than the adequate design required for the water demands of the subdivision itself, however, any such requirement and agreement to pay for such additional requirement with Village funds shall only be made with approval of Village Council.
- (8) A minimum horizontal distance of ten (10) feet shall be maintained between parallel water and sewer lines.
- (9) A "W" shall be stamped into the face of the curb at the location of any water connection. (Ord. No. 07-1842. Passed 08-06-07.)
- (10) The Village may require water supply improvements to be designed and constructed in a manner that minimizes the impact of any potential subsurface geotechnical hazards including but not limited to mining operations. (Ord. No. 09-1939. Passed 11-02-09.)

Section 411. Sanitary Sewer.

- (a) Sanitary sewer improvements shall be installed by the subdivider in conformance with the requirements of the Village Engineer, Water Superintendent, Village Engineer, the Ohio Department of Health, the Ohio EPA and the Construction Standards.
- (b) Unless otherwise required by the Village, the following standards shall apply:
 - (1) Sanitary sewers shall have a minimum diameter of eight (8) inches.
 - (2) Lateral connections shall be provided for each lot or for each primary building on the lot from the sanitary sewer to a point located approximately five (5) feet past the inside curb line as directed by the Village
 - (3) Sanitary sewage shall not be drained into storm sewers and storm water, including yard drainage tile, footer drains and roof drainage tile, shall not be drained into a sanitary sewer.
 - (4) Grades of sanitary sewers shall be such that minimum flow velocity when the pipe is full is two (2) feet per second.
 - (5) Sewage lift stations, sewage grinder pumps, or individual household sewage disposal systems shall only be permitted under circumstances of extreme hardship with the approval of the Planning Commission.

- (6) A minimum horizontal distance of ten (10) feet shall be maintained between parallel sewer and water lines. At points where sewers cross water mains, the Village may require the sewer to be constructed of different material or encased in concrete for a distance of ten (10) feet from the crossing; however this shall not be required when the water main and sewer are separated vertically by more than two (2) feet.
- (7) An "S" shall be stamped into the face of the curb at the location of any building sewer tap. (Ord. No. 07-1842. Passed 08-06-07.)
- (8) The Village may require sanitary sewer improvements to be designed and constructed in a manner that minimizes the impact of any potential subsurface geotechnical hazards including but not limited to mining operations. (Ord. No. 09-1939. Passed 11-02-09.)

Section 412. Storm Water Drainage.

- (a) The subdivider shall install storm water drainage facilities, including but not limited to ditches, storm sewers, catch basins, manholes, curb drains, and other drainage appurtenances in conformance with the requirements of the Village and the Construction Standards.
- (b) Unless otherwise required, the following standards shall apply:
 - (1) Storm sewers and other drainage facilities shall be designed for a ten-year storm and shall be not less than ten inches in diameter. Storm sewer grades shall have a minimum full pipe velocity flow of two feet per second.
 - (2) Storm drainage facilities shall be separate and independent of the sanitary sewer system.
 - (3) Open storm drainage facilities such as swales, ditches, retention basins, and culverts and alteration of existing natural watercourses may be approved when such improvements are determined to be necessary for consistency or compatibility with existing improvements which are being extended, for the protection of natural features and drainage patterns, to ensure the effective functioning of the drainage facilities in the subdivision and its surrounds, or for aesthetic benefits.
 - (4) Facilities for the detention of storm water shall be provided where necessary to control the volume or velocity of storm water leaving the site and with the purposes of:
 - A. Permitting commercial, industrial, and residential development without increasing the flooding of other lands;

- B. Limiting and/or reducing the adverse impacts on receiving streams, storm sewers, and other drainage facilities caused by accelerated runoff due to development; and
 - C. Providing a basis for design of storm drainage systems on land above or below undeveloped areas which will preserve the rights and options of both contributing and receiving property owners and assure the long-term adequacy of storm drainage systems.
- (c) The Village may require storm water drainage facilities to be designed and constructed in a manner that minimizes the impact of any potential subsurface geotechnical hazards including but not limited to mining operations. (Ord. No. 09-1939. Passed 11-02-09.)

Section 413. Erosion and Sediment Control, Landscaping, Trees.

- (a) Erosion and Sediment Control. Measures shall be taken to minimize erosion and its impacts during subdivision construction activity. Erosion control plans shall be designed to control erosion on-site and with the object of eliminating or minimizing erosion and sedimentation impacts off-site. All erosion control devices shall be in place at the start of construction. Techniques, devices, or measures used shall be as approved by the Village based on site conditions.
- (b) Landscaping. All areas of disturbed soil shall be restored in a manner approved by the Village. Restoration shall include shaping to approved grades and seeding or planting in a manner to control erosion and to be reasonable maintained. Any unpaved areas of rights-of-way or pedestrian ways shall be graded, seeded, and planted. Such landscaping shall be as described in the Improvement Plans.
- (c) Trees. The subdivider shall install at least one tree in the curb-lawn of each lot and in such a manner as not to impair visibility at any corner or corners. The subdivider shall maintain the trees for one year after planting and replace any tree that fails to survive or which does not exhibit normal growth characteristics within such one-year period. Existing trees should be retained whenever possible. Species of trees shall be chosen and trees planted with the approval of the Shade Tree Commission with consideration given to proximity to sidewalks, driveways, fire hydrants, and utilities. (Ord. No. 07-1842. Passed 08-06-07.)

ARTICLE V
AGREEMENTS AND GUARANTEES

Section 500. Agreements and Guarantees Required.

Prior to approval of the final plat of any Major subdivision, the subdivider shall provide agreements, guarantees, bonds, insurance and other requirements as set forth in this chapter.

Section 501. Performance Bond Agreement.

To assure construction and installation of improvements required by these Subdivision Regulations, the subdivider shall execute an Agreement in form and substance as determined by the Village Solicitor. The Performance Bond Agreement shall, at a minimum, provide that:

- (a) The improvements shall be constructed and installed at the subdivider's expense in compliance with the standards and specifications for the various types of improvements;
- (b) The improvements shall be available to and for the benefit of the land within the subdivision;
- (c) The improvements will be completed and installed by a specific stated date.
- (d) Provisions that the Village shall make inspections during the installation of improvements to ensure conformity with the approved Improvement Plans and the Performance Bond Agreement. Such inspections at the expense of the subdivider and shall be performed according to schedules and methodologies approved by the Village.
- (e) Provisions that if the improvements are not completed within the specified time, the Village may complete the improvements and recover full costs and expenses thereof from the subdivider and may appropriate such portion of money or bonds posted for faithful performance of such work.
- (f) Provisions relative to the terms and conditions of the payment of fees to cover costs associated with plan review, inspection, testing and other such costs as may be applicable.

Section 502. Performance Guarantee.

As set forth in Section 304.2, the subdivider, in lieu of prior construction of required improvements, shall furnish a performance bond or other guaranty acceptable to the Village Solicitor to guarantee completion of required improvements.

Section 503. Restoration Bond.

The Village may, where conditions warrant, require a restoration bond. The bond shall insure repair of any damage done to existing curbs, gutters, sidewalks, driveways, street pavement, landscaping, or other items within the right-of-way adjacent to a subdivision or within areas or easements controlled by the Village. The amount of the bond shall be as determined by the Village based on an estimate of potential damage and shall be in a form approved by the Village Solicitor. The restoration bond shall be released when all damaged facilities, if any, have been restored to the satisfaction of the Village.

Section 504. Liability Insurance.

The Village may require a policy of liability insurance, as approved by the Village Solicitor, 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 and maintained by the subdivider in full force and effect until all improvements are completed and maintained to the satisfaction of the Village.

Section 505. Maintenance Prior to Acceptance.

During all times prior to acceptance of the improvements by the Village, the subdivider shall be responsible for routine maintenance of all improvements, including snow removal, sweeping, cleaning of storm sewers, and other maintenance activities, and shall repair all failures as soon as they become apparent.

ARTICLE VI
ADMINISTRATION AND ENFORCEMENT

Section 600. Exceptions and Modifications.

A subdivider may request of the Planning Commission exceptions to or modifications of the provisions of this Subdivision Ordinance. Under advisement of the utility departments, and emergency and safety forces as applicable, the Planning Commission may allow such exceptions or modifications provided that:

- (a) The request is consistent with the intent of these Subdivision Regulations;
- (b) The public interest will not be adversely affected;
- (c) The abutting property owners will not be adversely affected;
- (d) The Planning Commission, in granting exceptions and modifications, may require such conditions it deems necessary to secure the overall objectives of the standards or requirements. (Ord. 05-1757, Passed 06-2005)

Section 601. Appeal.

Any person who believes he has been aggrieved by the regulations or action of the Planning Commission may appeal such regulation or action to the Village of Sugarcreek Board of Zoning Appeals, or seek any other remedy of appeal as set forth in the Ohio Revised Code, Chapter 711. . (Ord. 05-1757, Passed 06-20-05)

Section 602. Recording of Plat.

No plat of any subdivision shall be entitled to be recorded in the Office of the Tuscarawas County Recorder or have any validity until it shall have been approved in the manner prescribed in these Subdivision Regulations. In the event any such unapproved plat is recorded, it shall be considered invalid, and the Village shall institute proceedings to have the plat stricken from the records of the County.

Section 603. Revision of Plat after Approval.

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

Section 604. Sale of Land in Subdivision.

No owner or agent of the owner of any land located within a subdivision shall transfer, sell, agree to sell any land be reference to, exhibition of or by the use of a plan or plat of a subdivision before such plan or plat has been approved or recorded in the manner prescribed in these regulations. Any sale or transfer contrary to the provision 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.

Section 605. Permits.

Building permits or zoning certificates shall not be issued for any structure on a lot in a subdivision for which a plat has not been approved and recorded as required by these regulations.

Section 606. Fees, Charges and Expenses.

Fees and deposits shall be charged for the purpose of funding the administration of these regulations, including, but not limited to, the costs of receiving and reviewing applications, meetings, professional studies, advertising and publication, inspections, testing and other related costs. The following schedule of fees, charges and expenses is hereby established: (Ord. No. 07-1842. Passed 08-06-07.)

- (a) Minor Subdivision or Large Lot Subdivision. There shall be a fee of thirty dollars (\$30.00) per lot for the submission and approval of a Minor or Large Lot Subdivision. (Ord. No. 07-1842. Passed 08-06-07.)
- (b) Preliminary Plat. At the time of submitting a preliminary plat, the subdivider shall pay a filing fee to cover the cost of review of the plat and other administrative expenses incurred by the Village. The filing fee shall be determined by the following schedule:

Number of Lots in Plat	Fee per lot (\$)
2-5	30.00
6-10	50.00
11-15	60.00
16-20	70.00
21-25	80.00
26-30	90.00
31-35	100.00
36 and over	100.00 plus \$1.00 for each lot in excess of 35

Plan Review, Supervision and Inspection. Prior to the installation of improvements, the subdivider shall pay a fee to cover the cost of plan review, supervision and inspection of the construction. The fee shall be based on a Construction Cost Estimate that has been certified by the registered professional engineer responsible for the preparation of the subdivision Improvement Plans. The Village shall accept a reasonable Construction Cost Estimate and calculate the fee according to the following schedule:

Construction Cost Estimate (\$)	Fee (% of Cost)
Less than 100,000	7.6%
100,000 to 199,999	6.7%
200,000 to 299,999	6.1%
300,000 to 399,999	5.5%
400,000 to 499,999	5.1%
500,000 to 599,999	4.8%
600,000 to 699,999	4.7%
700,000 to 799,999	4.6%
800,000 to 899,999	4.4%
900,000 to 999,999	4.2%
1,000,000 to 1,999,999	3.8%
2,000,000 to 2,999,999	3.4%
3,000,000 to 3,999,999	3.2%
4,000,000 to 4,999,999	3.0%
5,000,000 and above	2.9%

- (c) Testing. The subdivider shall be responsible for paying all costs for testing as required by these regulations and deemed necessary by the Village to determine that improvements are installed in compliance with these regulations, and with the Construction Standards. The firm or individual selected to conduct such testing shall be approved by the Village prior to commencing work.
- (d) Special Studies. The applicant shall be responsible for paying all costs for special studies by outside professionals as deemed necessary by the Village. The firm or individual selected to conduct such studies shall be approved by the Village prior to commencing work. (Ord. No. 07-1842. Passed 08-06-07.)

Section 607. Acceptance of Improvements.

607.1 The inspector who has supervised the installation of the improvements shall, after completion of installation, certify to the Village that all improvements have been constructed as required by the Performance Bond Agreement and as such requirements that may have been modified by the Village during construction.

607.2 The subdivider shall advise the Village in writing when all improvements have been completed and all requirements and conditions have been complied with. When the designated Village officials determine that all improvements have been completed and all requirements and conditions have been complied with, a recommendation shall be made to Village Council to accept the improvements for ownership, operation, and maintenance. Village shall accept the improvements by the adoption of a resolution.

607.3 Prior to final acceptance or the release of a bond, the subdivider shall provide "as-built" Improvement Plans to the Village. Such drawings shall become the property of the Village. (Ord. No. 07-1842. Passed 08-06-07.)

Section 608. Penalty.

Any subdivider, owner, agent, surveyor, engineer, or other person, firm or corporation who willfully violates or assists in violating any part of these Subdivision Regulations or fails to comply with an order issued pursuant hereto, shall be penalized as provided for in the Ohio Revised Code Chapter 711.

Section 609. Validity.

If any section, subsection, sentence, clause or phrase of these regulations is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Subdivision Ordinance.