

SUBDIVISION REGULATIONS

BELMONT COUNTY, OHIO

A resolution establishing rules, regulations, and standards governing platting, replatting, street dedications, and subdivisions of lands; prescribing the procedure, methods of administration, specifications and requirements; and setting forth provisions of enforcement and penalties.

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SECTION I. INTRODUCTION

- A. Title of Resolution.** This resolution shall be known as: The Subdivision Regulations of Belmont County, Ohio.
- B. Purpose.** The provisions herein set forth are adopted to secure and provide for the co-ordination of streets within the subdivision with existing streets and roads or with existing county highways, for the proper amount of open spaces for traffic, circulation, and utilities, and for the avoidance of future congestion of population detrimental to the public health, safety or welfare; to provide for the construction of streets, and other facilities deemed necessary or appropriate in the public interest. The resolution shall be administered to insure and promote sound community growth; to protect against deterioration and obsolescence; and to safeguard the interests of the owners or occupants of property, the subdividers, and the local government.
- C. Mandatory Requirements and Authority.** The statutory provisions of the Ohio Revised Code, under Sections 711.001 et seq., prescribe certain mandatory requirements concerning the platting of land in the State of Ohio; and in addition, authorize and enable boards of county commissioners to adopt and enforce local regulations and standards for the control and guidance of platting and installation of improvement precedent to the mandatory recording of the plat in the office of the county recorder.
- D. Approving Agency.** These regulations shall be administered by the Board of County Commissioners of Belmont County through favorable referral to the County Engineer, the Board of Health, and other officials or agencies of the County; and the Board may cooperate with any municipality having territorial jurisdiction beyond its corporate limits so as to promote and secure orderly growth and development.
- E. Jurisdiction.** These regulations shall be applicable to any person engaged in the platting, transfer or recording of land and more particularly to the owner, or agent of the owner, engaged in the division or improvement of land as a subdivision, and in platting or the replatting of land, wherever such land may be situated within the un-incorporated territory of Belmont County, Ohio.
- F. Interpretation.** The provisions of these regulations shall be held to be minimum requirements adopted for the promotion of health, safety and welfare of the people of Belmont County, Ohio. These regulations are not intended to repeal, abrogate, annul or in any manner interfere with any existing laws, zoning, resolutions, covenants or rules provided. However, where these regulations impose a greater restriction than is required by such existing laws, covenants or rules, the provisions of these regulations shall govern. All prior resolutions or parts of resolutions of the Board of County Commissioners setting forth platting rules or regulations in conflict herewith are hereby repealed.
- G. Amendments.** The Board of County Commissioners may, on its own motion and after public hearing, 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 published in Belmont County, Ohio, thirty (30) days prior to the holding of said hearing. The amendment or amendments shall be on file in the office of the Board of County Commissioners for public examination during said thirty (30) days.
- H. Effective Date.** These regulations were adopted by the Board of County Commissioners on December 20, 1961 and are recorded in Volume 39, Page 427, of the Commissioners Journal, and to become effective on January 1, 1962.

SECTION II. DEFINITIONS

1. **Alley.** Any public or private way which normally provides rear or side access to properties abutting on other streets.
2. **Building Line (or Set-Back Line).** A line generally parallel to a street or front lot line defining the limits of a front yard in which no structure may be placed above ground.
3. **Commissioners.** The Board of County Commissioners of Belmont County, Ohio.
4. **Community Plan.** The comprehensive plan or a part thereof adopted by the official Commissioners of the County, providing recommendations for the location and development of major county or local streets, public parks, public building sites, public utilities, and indicating other community objectives.
5. **County Road Plan.** The plan showing the system of public roads in the county as officially adopted by the Board of County Commissioners for Belmont County, Ohio, including the proposed opening, widening or extension of any streets or roads as may have been declared necessary by the Commissioners in the public interest.
6. **Crosswalk.** A right-of-way, dedicated to public pedestrian use, which cuts across a long block.
7. **Cul-de-sac.** A dead-end street of short length having one end open to traffic and the other end terminating in a vehicular turnaround.
8. **Easement.** A grant by the property owner of the use of land for specified purposes by the public, a corporation, or certain persons.
9. **Improvements.** Pavement, with or without curbs or gutters, grading, surfacing, walks, crosswalks, water mains, sanitary and storm sewers, street trees, and other appropriate items.
10. **Lot.** (a) A portion of a subdivision or other parcel of land intended as a unit for transfer of ownership or for building development which is designated by a number on a recorded plat which defines its exact location and size.
(b) As used in the definition of a subdivision where it refers to sale or exchange of parcels between adjoining lot owners, the word lot shall also mean land.
11. **Loop Street.** A U-shaped street, or court.
12. **Master Plan.** A comprehensive plan for future community development prepared by or for a planning and platting commission and adopted by it, indicating its recommendations for the uses of private land, the general street system, transit and transportation systems, utility systems, public open spaces and buildings, zoning, control of land subdivision, rehabilitation areas, and other municipal elements.
13. **Official Map.** A map prepared by an authorized planning commission and adopted by the county commissioners, or a municipal council, which shows the accurate location of the lines of existing roads or streets, roads or streets shown on adopted mapped-street or road plats, roads or streets shown on recorded land subdivision plats, existing public open spaces, and proposed roads or streets and public open spaces that are in conformity with the Master Plan. After adoption of the official map by the county commissioners or municipal council, all streets or roads shown on approved and recorded final plats are automatically added to the official map, which may also be added to or modified by the council or county commissioners.
14. **Out-lot.** A parcel of ground within a municipality described by metes and bounds and which is not a recorded lot, or a parcel of ground on a recorded plat which may be inside or outside a municipality and designated as an out-lot. It is usually not ready or unsuitable for development.

- 15. Planning and Platting Commission.** The planning and platting commission of a city in the County of Belmont of the State of Ohio, having jurisdiction over the area in which the proposed subdivision is located, as defined in Sections 711.09 and 711.101 Ohio Revised Code.
- 16. Plat.** The map, drawing, or chart on which the developer's plan of subdivision is presented to the county commissioners for approval and, after such approval, to the county recorder for recording.
- 17. Reserve Strip.** A strip of land controlling access to or egress from other property, (including land dedicated to public use), or to or from any street or alley, or having the effect of restricting or damaging the adjoining property for subdivision purposes, or which will not be taxable or assessable for special improvements.
- 18. Right-of-way.** The strip of land taken or dedicated for use as a public way, measured across from property line to property line. In addition to the roadway, it normally incorporates the curbs, planting strips, sidewalks, lighting, and drainage facilities, and may include special features (required by the topography or treatment) as grade separation, landscaped areas, viaducts and bridges.
- 19. Roadway.** Roadway shall be considered as the portion of the right-of-way included between the outside edges of the shoulders.
- 20. Sidewalk.** That portion of the road right-of-way, outside the roadway, which is paved for the use of pedestrian traffic. It does not include the planting strip, if any.
- 21. Street or Road.** A strip of land for the accommodation of traffic, which normally provides vehicular and pedestrian access to adjacent properties.
- (A) Primary or Major. A road which is primarily a major traffic artery connecting major communities and districts serving comparatively large volumes of traffic. This includes boulevards, parkways and limited access highways.
 - (B) Secondary. A street or road which serves district traffic, connecting minor roads to the primary or major highway system and to district centers, preferably outside or bounding neighborhoods.
 - (C) Minor. A road or street, usually of limited length, which provides access to abutting properties and is intended to serve local or neighborhood needs.
- 22. Subdivision.** (ORC Sec. 711.001) (1) The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll, 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 division or partition of land into parcels of more than five acres not involving any new streets or easements of access, and the sale or exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites, shall be exempted; or
- (2) 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 leaseholders or as easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities.
- 23. Housing Development.** A systematically built group of houses or apartment buildings, especially one that includes community facilities.

SECTION III. PRELIMINARY PLAN-PROCEDURE

A. General. Prior to the preparation of the preliminary plan, the subdivider should seek the assistance of the County Engineer in order to become familiar with the subdivision requirements and with the street and highway plans and maps affecting the territory in which the proposed subdivision is located. The purpose of the preliminary plan is to show all the facts which may enable the Commissioners to determine whether the proposed layout of the land is satisfactory from the standpoint of the public interest.

All required engineering and surveying work must be performed by or under the supervision of a registered engineer or surveyor, as the case may be, in accordance with the provisions of the Engineers and Surveyors Registration Act of the Ohio Revised Code.

No owner, or agent of the owner, of any land within the jurisdiction of these regulations, shall transfer any lot, parcel, or tract of land from or in accordance with a plat of a subdivision before such plat has been approved by the Commissioners, with such approval endorsed in writing on the plat and before the plat has been recorded in the office of the County Recorder;¹ and furthermore, shall not proceed with any work on the proposed subdivision, including grading, which may affect the arrangement of streets, utilities or changes the natural course of surface drainage, until he has obtained tentative approval by the Commissioners of the proposed subdivision plat and has met the other requirements herein set forth.

B. Filing. The subdivider, or his agent shall submit to the County Engineer four (4) black or blue on white prints of the preliminary subdivision layout and supporting drawings for the installation of required improvements. These documents shall be considered officially filed for preliminary approval upon determination by the County Engineer that they are in full compliance with the formal provisions of these regulations. The County Engineer shall retain two (2) copies and transmit copies thereof to the Board of Health or to other county or city officials, as involved, for report thereon. Upon receipt of the reports, the County Engineer shall prepare his recommendations and present all preliminary documents and reports to the Commissioners for their consideration.

C. Approval. The Commissioners shall then consider the subdivision plans with the reports thereon and either approve, disapprove or may withhold formal action thereon within such further time as the applying party may agree to. The ground for refusal of approval, including citation of or reference to the rule or regulation violated, shall be stated upon the records of the Commissioners. The Commissioners will normally indicate its approval by notation on one (1) copy of such plans for the subdivider's records.

D. Form and Size. The preliminary plan shall be clearly and legibly drawn. The size of the preliminary maps shall be not less than 8½ by 11 inches nor more than 36 by 48 inches. (See page 9 for size of final plat). Subdivisions of six acres or less shall be drawn at a scale of one inch equals 50 feet. All others shall be drawn at a scale of one inch equals 100 feet, unless otherwise authorized by the County Engineer.

E. Plan Contents. The preliminary plan shall contain the following information:

1. Proposed name of subdivision. The name shall not duplicate any other recorded plat of subdivision in the County.

¹ See Section 711.13 Ohio Revised Code.

2. Location by section, township, range, township, county and state.
3. Lot Lines, approximate dimensions, and lot numbers.
4. Names and addresses of the subdivider, owner and surveyor.
5. Scale of the plan, north arrow, and date.
6. Boundaries of the subdivision indicated by a heavy solid line and approximate acreage therein.
7. Location, widths and names of existing or platted streets, railroad rights-of-way, easements, parks, permanent buildings, section and corporation lines. Street name duplications shall be avoided.
8. Names of adjacent subdivisions and owners of adjoining parcels of unsubdivided land.
9. Zoning districts, if any.
10. High water elevations in vicinity of rivers, creeks, or lakes.
11. Drainage channels, wooded areas, power transmission poles and lines, and any other significant physical features.
12. Where the preliminary plat covers only a part of the subdivider's entire holding, a sketch of the prospective future system of the unsubmitted part shall be furnished and the road system of the submitted part will be considered in the light of adjustments and connections with the road system of the part not submitted.
13. A vicinity map at a scale of not more than four hundred (400) feet to the inch shall be shown on, or accompany, the preliminary plat. This map shall show all existing subdivisions, roads, and tract lines of acreage parcels, together with names of the record owners of parcels of land immediately adjoining the proposed subdivision and between it and the nearest existing thoroughfares. It shall also show how roads in the proposed subdivision may connect with existing and proposed roads in neighboring subdivisions or undeveloped property to produce the most advantageous development of the entire neighboring area.

F. Other Required Information.

- (1) Statement of the proposed use of the building sites or lots so as to reveal the type of residential development with the number of dwelling units; type and extent of business, industry, institution or other structures and their effect on traffic flow through streets, public service facilities, fire hazards or congestion of population.
- (2) Proposed covenants and restrictions.
- (3) Source of water supply.
- (4) Provisions for sewage disposal and drainage of storm water.
- (5) Proposed building set-back lines.

G. Vacation of Plats, or Parts Thereof. In the case of vacation of a plat or parts thereof, as previously recorded in the office of the Recorder of Belmont County, Ohio, the same general procedure, rules and regulations shall apply as for a new plat. The title of the vacation shall indicate just what is being vacated, and the final map shall include enough of the surrounding plat or plats to show its relation to adjoining areas.

SECTION IV. FINAL PLAT—PROCEDURE

A. General. The final plat of the subdivision shall conform to the approved preliminary plan. It may constitute only that portion of the preliminary plan which the subdivider proposes to record and develop at that particular time, provided that such portion conforms with all the requirements of these regulations.

B. Filing. After receiving notice from the Commissioners that the preliminary plan has been approved, the subdivider may then proceed to prepare and file:

- (1) Copies of the final plat of subdivision as required by the Commissioners.
- (2) Written application requesting final approval.
- (3) Street cross-sections, profiles, specifications and other construction drawings related to the improvements to be installed in the subdivision.

All such final documents shall be filed with the County Engineer, who shall forward copies to the Board of Health, and to the other County or City officials, as may be involved, for study and recommendations thereon.

A plat map, together with the reports and other required documents, shall be submitted by the County Engineer to the Commissioners for final approval.

C. Approval. The final tracing and other required documents shall be submitted at least five (5) working days prior to the meeting at which the plat is to be considered by the Commissioners. The Commissioners shall act upon the final plat in the form of a tracing within thirty (30) days after the same has been officially submitted and filed; otherwise, said plat shall be deemed to have been approved. The certificate of the Commissioners as to the date of the submission of the plat for approval, and the failure to take action within such time, shall be sufficient in lieu of the written endorsement or evidence of approval herein required. If disapproved, the ground for disapproval of the final plat of subdivision shall be stated on the record of the Commissioners, including reference to the regulation violated by the plat.

D. Recording of Plat. The final plat of the subdivision, when approved by the Commissioners, shall have such approval endorsed thereon, whereupon said tracing shall be retained by the County until it is delivered to the County Recorder for record and until the subdivider has furnished one (1) photolitho-print or other acceptable reproduction of acceptable size for the record file of the County Engineer. All fees required in connection with recording or reproduction of said plat shall be paid by the subdivider.

E. Form and Size. The final plat of subdivision shall be clearly and legibly drawn in India ink on tracing cloth or other acceptable material. The scale shall conform to the same specifications as for the preliminary plan. The size of the final plat shall be either 22 inches by 24 inches or 24 inches by 36 inches. Marginal lines shall be drawn around the entire sheet, leaving a margin of two (2) inches on the left edge and one (1) inch on all other edges. If more than one sheet is needed, each sheet shall be numbered, the relation of one sheet to another clearly shown, and the number of sheets used shall be set forth in the title of the plat.

F. Map Contents. The final plat shall contain the following information:

1. Name of the subdivision; location by section, township, range, township, county, state; scale, date and north arrow.
2. Tract and plat boundary lines, with length of courses to 1/100 feet and bearings to minutes.
3. Bearings and distances to a section or quarter section corner, or to a recorded

allotment; also a bearing on the section or quarter section line, or if tied into a recorded allotment, a bearing on a street or lot line of said allotment.

4. Municipal, township, county, or section lines, accurately tied to the lines of the subdivision by distances and bearings.

5. Names and right-of-way width of each street.

6. Length of all arcs, chords and chord bearings, radii, points of curvature and tangent bearings.

7. All easements for rights-of-way provided for public services or utilities, and any limitations of such easement.

8. All easements of access or open spaces established for common use of the occupants or owners, within the plat.

9. All lot numbers and lines to identify each lot with precise property dimensions in feet and hundredths, and bearings on all lots, out-lots, streets, alleys or crosswalk-way lines. All lots shall be numbered consecutively starting with the number one (1) or with next larger number in case of an addition to an already recorded plat by the same owner. In case of replats or the vacation of a plat, the developer shall consult with and follow the instructions of the County Recorder or Auditor as may be involved. Out-lots, if any, shall be designated by letters.

10. Precise location and description of all monuments, as required by Section 711.03, Revised Code of Ohio.

11. Accurate outlines of any areas to be dedicated or temporarily reserved for public use with the purpose indicated thereon.

12. Minimum or intended building setback lines on all lots or out-lots.

13. Protective covenants shall normally be shown on the plat or they may be recorded as a part thereof in the form of a separate instrument provided appropriate reference thereto is plainly shown on the plat. A time limit with option to change should be included.

14. Certification by a registered, professional civil engineer or surveyor to the effect that the plat represents a correct survey made by him and that all the monuments shown thereon actually exist, and that their location, size, and material are as shown. (See Form)

15. Notarized certification by the owner or owners, and any dower interest, of the adoption of the plat and the dedication of streets and other public areas. (Section 711.04, Ohio Revised Code). All such signatures shall be written with India ink. (See Form)

16. Approval of plat by Belmont County Commissioners. (See Form)

17. Approval of plat by County Engineer. (See Form)

18. Approval of Secretary of Township Zoning Commission in any townships having zoning. (See Form)

19. Approval by Secretary of Planning Commission within the three-mile limit of a city. (See Form)—Ohio Revised Code 711.09.

20. Proper notations for transfer and recording by the County Auditor and the County Recorder. (See Form)

21. A table showing the total acreage contained in subdivision, the acreage in lots and the acreage in roads.

If the subdivision is in two sections, then the above-mentioned acreage shall be shown for each section. If the subdivision is within portions of more than one tract, proper notations of acreage shall be made to facilitate transfer.

SECTION V. DESIGN STANDARDS & DETAILS

A. General Requirements.

1. **Conformity with County Plan.** The arrangement, character, width, grade, and location of all streets shall conform to the public road system of the County, or plans for the opening, widening, or extension of any street, road or major thorofare as adopted by the Commissioners in the public interest. Whenever a tract to be subdivided includes any part of such thorofares as approved or shown on the adopted plan such part shall be dedicated to the public for street purposes by the subdivider.
2. **Continuation of Existing Streets.** Proposed streets shall, as near as practicable, provide for the continuation, connection, or projection of streets in surrounding areas, or conform to the plan for the neighborhood as may have been approved by the County Engineer and adopted by the Commissioners.
3. **Circulation.** The street pattern shall provide ease of circulation within the subdivision, but the minor streets therein shall be so laid out that their use by through traffic will be discouraged. Insofar as practical, the street arrangement should provide proper access to schools, playgrounds, transportation and other community features. New streets openings shall generally be prohibited within 600 feet of any major intersection or crossing such as those formed by a railroad and a highway, two or more highways or from the head of any major bridge, grade separation structure or like facilities, are measured along the center line from the intersection or from such structures.
4. **Street Intersections.** Streets shall intersect one another at an angle as near to a right angle as practicable.
5. **Street Jogs.** Street jogs shall be avoided whenever possible.
6. **Half Streets.** Half streets shall be prohibited. In case a half street is adjacent to a tract to be subdivided, the other half of the street shall be platted within such tract.
7. **Topographical and Cultural Features.** In sloping terrain, streets shall generally run parallel to the contour of the land or preferably cross at a slight angle therewith. The general objectives are to avoid steep street grades, heavy concentrations of storm surface runoff, abnormal differential in building elevations at opposite sides of the street, and excessive grading operations. Appropriate treatment shall be given to encourage the preservation of existing views, wooded areas, creeks, and other attractive natural features of the plat.
8. **Alleys.** Alleys in residential developments will generally be prohibited. Service roadways will be required in commercial and industrial developments, except where other provisions for suitable access and offstreet loading and unloading is assured.
9. **Dead-end Streets.** Dead-end streets, designed to be so permanently, shall generally be prohibited. In case where a street over 150 feet in length is to be temporarily dead-ended, an interim turn-around will be required. A notation shall be placed on the final recorded plat that such temporary or interim turn-around area shall automatically be vacated upon authorized extension and construction of the street, and said area shall revert to abutting property owner or owners.
10. **Cul-de-sac Streets.** The length of a cul-de-sac street shall normally not be

greater than 1200 feet, as measured from its intersection with another street to the start of the circular turn-around area.

11. Relation to Major or Primary Streets. Where a subdivision abuts or contains an existing or proposed arterial street, involving heavy volumes of high speed vehicular traffic, the Commissioners may require marginal access streets, or a reverse lot frontage with screen planting or masonry wall contained in a non-access reservation along the rear property line, and such other treatment as may be necessary for adequate protection of the proposed industrial, commercial or residential development to assure separation of through and local traffic. Before requiring any marginal streets or reverse frontage arrangements, the Commissioners shall take into account and decide upon the physical location of the major public utility lines as they relate to the existing and potential development along both sides of the highway.

12. Frontage Along Railroads. Where a subdivision borders on a railroad right-of-way, the Commissioners may require a street approximately parallel to the side of such right-of-way, and at a reasonable distance therefrom, dependent on the nature and intended use of the subdivision. Such distance shall also be determined with due regard for the requirements of future grade separation facilities and access roads or ramps thereto.

13. Public Sites and Open Spaces. Where a proposed park, playground, school or other public use shown in a General Community Plan is located in whole or in part in a subdivision, the Commissioners may require the dedication or reservation of such area within the subdivision in those cases in which the Commissioners deem such requirement to be reasonable.

B. Dimensional Standards:

1. Typical Street Standards. The Commissioners will determine the required minimum dimensional standards of all rights-of-way, pavements, and other public improvements but shall consider the advice and recommendations of the County Engineer in doing so. The typical street requirements shall be as follows:

- a. **Primary or Major Streets.** Not less than 80 feet right-of-way. As the geometrical design, pavement and right-of-way widths may vary considerably over that of a typical minor street, the Commissioners shall decide upon the pavement width and the portion of the major street construction that shall be done by the developer. In doing so, the Commissioners shall take into account the location, extent and character of the proposed development; the degree to which the proposed lots or land use is to be serviced from or otherwise has access on the major streets; the number of anticipated employees; and the extent of vehicular traffic that may be generated by such improvement or subdivision upon such major street or streets. The Commissioners, in determining the amount of participation that shall be made by the subdivider, shall also take into account the cost and participation involved in the trunk sewers and possible extra cost in length of service connections, driveway aprons, etc.
- b. **Secondary Streets.** Not less than 60 feet right-of-way.
- c. **Minor Streets.** 40 to 60 feet right-of-way.
- d. **Cul-de-sac or Turnaround.** The minimum right-of-way provided for the turnaround shall be 80 feet (diameter). The area encompassed in the seg-

ments of the turnaround lying outside the right-of-way of the road shall be in the nature of an easement for road purposes and revert to the abutting property owners when the road is legally extended, unless due to conditions of terrain or design it would be more desirable to retain the turnaround.

- e. **Alleys.** Minimum 24 foot right-of-way.
 - f. **Crosswalks.** 24 foot right-of-way with at least 5 foot paved walkway along centerline.
 - g. **Easements.** Easements across lots or centered on rear or side lot lines shall be provided for utilities where necessary and shall be at least 10 feet wide. Easements shall also be provided for water courses, channels, or streams, and shall be adequate for the purpose.
- 2. Grades.** Minimum grades on any road or street shall be one half of one percent at gutters for purpose of drainage. Maximum grades on any road or street shall not be generally greater than twelve percent. Only in extreme cases and with proper justification will the Board of County Commissioners consider grades more than twelve percent.
- 3. Intersections.** Property lines at street or alley intersections shall be rounded with a radius of at least 13 feet and curbs, if required, or edges of street pavements shall be rounded by radii of at least 25 feet for residential, and 52 feet for industrial or major street intersections.

C. Blocks and Lots.

1. Blocks.

- a. Block lengths should usually not exceed 1600 feet, or be less than 600 feet. Pedestrian crosswalks may be required under certain conditions, but should be avoided through proper block length and street arrangement whenever possible.
- b. The width of a block shall normally be sufficient to allow two tiers of lots; or to provide building sites suitable to the special needs of the type of use contemplated.
- c. The depth and width of properties laid out or reserved for commercial and industrial purposes shall be adequate to provide for the off-street parking and service facilities required by the type of use and development contemplated. The permanent reservation of suitable buffer and easement areas may be required, where deemed essential. Such areas shall normally be made a part of abutting lots or building sites.

2. Lots.

a. Size, Shape and Orientation.

The lot size, width, depth, shape, orientation, and the minimum building setback lines shall be appropriate for the location of the subdivision and type of development and use contemplated. A length and width ratio of approximately $2\frac{1}{2}$ to 1 is considered desirable. Lot depth in relation to width shall normally not exceed a ratio of $3\frac{1}{2}$ to 1.

b. Lot Dimensions.

So as to conform to sound and acceptable community practices and standards, it is recommended that the minimum lot size not be less than those specified in the following table:

Type of Development	Sewer and Water Available	Public Water or Sewer Available	Public Water & Sewer Not Available
Single Family	60' frontage 7,500 sq. ft.	70' frontage 10,000 sq. ft.	100' frontage 20,000 sq. ft.
Two-Family	65' frontage 8,000 sq. ft.	70' frontage 10,000 sq. ft.	100' frontage 20,000 sq. ft.
Multi-Family (4 families)	75' frontage 10,000 sq. ft.	100' frontage 20,000 sq. ft.	150' frontage 30,000 sq.ft.
Multi-Family (in excess of 4 families)	TO BE ESTABLISHED BY COMMISSIONERS ON BASIS OF POPULATION DENSITY		

(All frontage to be measured at building line.)

c. **Corner Lots.** Corner lots shall have a proportionate greater width than normal within-the-block lots in order to permit appropriate building setback from and orientation to both streets.

d. **Side Lot Lines.** Side lot lines shall normally be at right angles to the street or radial to curved streets, except when natural or cultural features suggest other suitable and appropriate locations.

e. **Double Frontage Lots.** Double frontage lots shall be avoided except where essential to provide separation of residential development from major arteries or specific disadvantage of topography.

f. **Building Setback Line.**

1. Building setback lines shall be at least 30 feet in depth. Setbacks of 35 to 40 feet are recommended along minor and secondary streets, and at least 50 feet along major highways. They shall be shown on the plat and reference thereto made in the deed restrictions. Where the terrain warrants, the Commissioners will consider setback lines less than 30 feet after favorable referral by the County Engineer.

2. The established setback for detached accessory buildings at the rear of a corner lot shall not be closer to the street than the existing or established setback line for the main building on the adjoining butt lot.

g. **Access to Streets.** Every lot shall normally abut for at least 50 feet on a public street, or it shall have an exclusive unobstructed private easement of access or right-of-way at least 20 feet wide to a public street for a one-family dwelling and at least 40 feet in width for two or more family dwellings provided the Commissioners are satisfied that the arrangement will not result in a hazardous or inaccessible condition in terms of emergency, equipment nor be in conflict with the continuity of the public street system; provided further that such private street, way, or grounds are expressly indicated as for the exclusive use of the abutting or other owner; and a 40 foot building setback line is also shown along both sides and the closed end of such area or areas.

SECTION VI. REQUIRED IMPROVEMENT

A. General. Unless otherwise expressly indicated, the developer shall furnish all plans, specifications, cost estimates, and other essential documents necessary for the construction and installation of the required improvements. And further, the subdivider shall agree at his own cost and expense, to do all the work, furnish all the materials and labor necessary to construct and complete the required improvements in a good and substantial manner to the satisfaction of the County Engineer.

1. Specifications, Supervision and Inspection. The specifications of the county shall in all respects govern all construction work. The work shall be done under county supervision and inspection. It shall be completed within the time fixed or agreed upon by the County Engineer.

2. Inspection Costs. The cost of county inspection shall be paid by the subdivider, the amount of which shall not exceed \$50.00 which shall be deposited in advance with the County Treasurer or otherwise provided for in the construction agreement and bond requirements as hereinafter mentioned.

3. Recommendation and Approval. It shall be competent for the County Engineer to recommend the final plat of subdivision, to the person or persons making same, to the effect that, whenever the required improvements are properly made or otherwise secured as hereinafter mentioned, said Engineer will pass upon and recommend to the Commissioners that said plat, if otherwise conforming to these platting rules and regulations, be approved.

B. Streets. All grading, surfacing, drainage structures or other improvements required or involved in the opening, widening or extension of any street, road or public way shall be of such size, width, thickness, character and type deemed by the Commissioners, upon the recommendations of the County Engineer, to be suitable and appropriate to the intended use and development, and consistent with the standards and specifications set forth in these rules and regulations. (See typical section of allotment streets attached hereto.)

C. Seeding and Protecting. Berms, ditches and slopes resulting from the opening, widening or extension of any street grading or improvement operations should be protected against soil erosion by seeding or other protective methods.

D. Storm Drainage. Storm drainage, including drain tile around basements, shall not be permitted to empty into any sanitary sewer. Where a public storm water sewer is reasonably accessible, as determined by the Commissioners, the subdivider shall connect with such storm drainage system and shall do such grading and provide such drainage structures including lateral connections as may be required by the County Engineer. Where a public storm water system is not reasonably accessible as determined by the Commissioners, but where the plans for the storm water drainage system of the district in which the subdivision is located have been prepared and officially approved, the subdivider shall install drainage facilities as may be required by the County Engineer in conformity with such official plans.

If the subdivision is in an area where public storm water system is not available, the subdivider shall do such grading and provide such drainage structures as may be required by the County Engineer. Whenever the construction of streets and necessary storm water system in a subdivision is such that direction of storm water flow is diverted and affects surrounding properties, the developer shall obtain sufficient drainage easements to provide adequate disposal of the storm water.

E. Sewage Disposal.

1. Sanitary Sewers. If a subdivision can be reasonably served by the extension of an existing public sanitary sewer, as determined by the Commissioners, the developer shall provide a system of sanitary sewer mains and shall provide lateral connections for each lot or potential building site. Where a public sanitary sewer is not reasonably accessible:

(a) The Commissioners may, after obtaining and considering reports from the local or state Board of Health agencies as involved, refuse to permit the area to be developed for any purpose deemed detrimental to the health and general welfare of the surrounding community.

(b) Or, the Commissioners may approve the subdivision plat provided appropriate provisions or arrangements have been made for the installation of septic tanks for each lot or building site and provided further that such arrangements are made in accordance with local and state Board of Health requirements.

2. Individual Septic Tank Facilities. In the event the installation of individual disposal systems shall be considered, the ability of the soil, surface drainage and topography shall be the criteria for determining whether or not the installation of individual septic tank disposal systems are feasible. It shall be the responsibility of the developer to furnish the topographical map, if required, and other information and data; to obtain or perform all tests in accordance with the requirements of the local or state Board of Health. All private home sewage disposal systems shall be installed in accordance with the requirements of the Belmont County Health Department.

In all cases where it has been determined by the local Board of Health that individual septic tank disposal systems are not feasible, a group sewage disposal system may be required.

3. Group Sewage Disposal Facilities. Group sewage disposal systems shall meet the requirements of the State Department of Health as cited in Sections 3701.18 to 3701.21 inclusive, of the Revised Code Title XXXVII, Health-Safety-Morals, of the State of Ohio.

Group sewage disposal systems may be accepted for maintenance and operation by the Commissioners if the ownership is vested in the County, and if the disposal system has been constructed according to specifications, and provided it has been approved by the County Engineer.

The provision of this and other related sections are not intended to place any obligation, liability or responsibility upon the Commissioners or other county officials for accepting the operation or maintenance of such systems. In cases where the Commissioners decide to accept such responsibilities, they may specify the conditions of such acceptance.

F. Water Supply.

1. Public Water Supply. Where public water supply is available and within reasonable distance, as determined by the Commissioners, the developer shall construct a system of water mains and fire hydrants and connect with such public water supply under the terms and conditions of the public water district or authority controlling same.

2. Location and Construction of Individual Private Wells. Individual private wells shall be located at least twenty-five (25) feet from property lines; fifty (50)

feet from all septic tanks; approximately one hundred (100) feet from all tile disposal field and other sewage disposal facilities, depending on terrain; ten (10) feet from all cast iron sewer lines; thirty (30) feet from any vitrified sewer tile lines, and shall not be located within any flood plain.

As a precaution against seepage, a water-tight seal shall be provided around the pump mounting.

All abandoned wells shall be sealed in a manner that will render them water-tight. In all cases where it has been determined that individual water supplies from private wells are not feasible, a public water distribution system will be required.

3. Public Water Distribution System. Public wells and other public water distribution systems shall meet the requirements of the State Department of Health as cited in Section 3701.08 to 3701.21 inclusive, of the **Revised Code, Title XXXVII**, Health-Safety-Morals of the State of Ohio.

G. Survey and Monuments. A complete survey shall be made by a registered surveyor. The traverse of the exterior boundaries of the tract and of each block, when computed from field measurements of the ground, shall close within a limit of error of one (1) foot to five thousand (5000) of the perimeter before balancing the survey.

A minimum of four concrete monuments shall be set in each plat of ten lots or less and not less than six concrete monuments in each plat containing over ten lots. The concrete monuments shall be at least six inches in diameter and at least thirty inches long. Said monuments shall have a one inch pipe or steel rod set in and running through same. The bottom of all concrete monuments shall be at least thirty inches below finished grade.

The corners of each lot, including any change of direction or point of curve, shall be marked with iron rods at least $\frac{3}{4}$ inches in diameter and at least 30 inches in length, unless said corner is occupied by a monument.

H. Street Signs. If required by the Board of County Commissioners, the developer shall place on deposit, or arrange as a part of the bond agreement, sufficient funds to cover the cost of purchases, delivery and installation of all required street name signs. Such signs shall conform to the standards adopted by the County.

SECTION VII. GENERAL PROVISIONS

A. Miscellaneous Plat Approval—"No Plat Required". (See Section 711.131).

1. Notwithstanding the provisions herein set forth, 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 no more than five lots after the original tract has been completely subdivided, may be submitted to the Commissioners without plat. The Commissioners acting through the County Engineer, as its designated representative, may approve the proposed conveyance if the Engineer is satisfied that such division is not contrary to any applicable platting, subdividing or zoning regulations, which shall include the County Street Plan, or any rule or regulation which the Commissioners may have adopted for the processing of such divisions or the conduct of its business.

The applicant shall submit a sketch plat or plat map showing the division of such land in graphic dimensional form. This map shall be certified by a registered surveyor as to its correctness and shall contain information as is pertinent to its determination hereunder. When the County Engineer is satisfied with the information submitted for his determination, he shall in seven working days after such submission approve such proposed subdivision. Evidence of approval by the County Engineer will be indicated by a stamp reading, "No Plat Required", Board of Commissioners of Belmont County, Ohio,

-----,
(Signature)

(Date)

Either a plat of the division or the deed of transfer, which has been thus stamped, shall constitute approval under this section.

If such conveyance is not submitted for recording in the office of the County Recorder within 30 days of such approval, the approval as provided for herein shall be null and void.

B. Land Subject to Inundation.

Land subject to inundation or flood hazards by storm water shall not be platted for residential occupancy, nor for such other uses as may increase danger to health, life or property, or aggravate the flood hazard. Such land within the plat should be withheld or otherwise set aside for such uses as will not be endangered by periodic or occasional inundation.

C. Responsibility of Public Agencies to Provide Service.

If the County Engineer or County Health Commissioner find upon inspection that any of the improvements being installed and constructed, or upon completion are not in accordance with the plans, specifications or plat in the form in which they were approved, the responsibility of the County and or Township to provide services and utilities shall cease.

D. Sale and Lease of Lots—May be Withheld. (See Section 711.101 ORC)

When the improvements within a proposed public street or within an existing public street do not conform to the standards and specifications as adopted by the Board of County Commissioners for the construction of public street, curb, gutters, sidewalks, street lights, water mains, storm sewers, sanitary sewers, and

other utility mains, piping, and other facilities, the Commissioners may require complete or partial installation of such improvements, and may make such installations a condition precedent to the sale or lease of lots in such subdivisions or the issuance of a building permit for the improvement of such lot or lots thereon; and further may require in lieu of actual construction a performance agreement and the furnishing of a performance bond or other guarantee of security for the purpose of assuring the installation of such improvements deemed necessary or appropriate in the public interest.

E. Reserve or "Devil Strips".

Narrow reserve strips of land, commonly called devil strips, which are intended by the owner of a plat to prevent access to streets or the extension of sewer, water or storm drain lines from one plat to another shall be prohibited. The Commissioners or the County Engineer, acting for them, shall not authorize the division of any land at the terminal or closed end of any stub-end street which division would tend to prevent the appropriate extension of such stub-ended street into abutting or adjoining territory.

F. Variances and Modifications.

Where the Commissioners find in specific cases, due to unusual topography or other exceptional conditions not common to other areas similarly situated, that extraordinary hardships may result from strict compliance with these regulations, it may vary the regulations so that substantial justice may be done and the public interest secured; provided that such variation will not have the effect of nullifying the intent and purpose of these regulations, the County Road Plan, or jeopardize the safety or health of the community.

G. Large Scale Developments.

The standards and requirements of these regulations may be modified by the Commissioners in the case of a plan and program for a complete community, or a neighborhood unit.

Such plans shall provide adequate public spaces and improvements for circulation, recreation, light, air, and the service needs of the tract when fully developed and populated and appropriate covenants or other legal provisions as will assure conformity to and achievement of the plan; nor otherwise violate the provisions of any zoning ordinance or zoning resolution. The Commissioners may take into account that, although some of the lots or building sites may not strictly conform or comply to the specific requirements or standards, the design, layout, and standards as used may present a substantial, appropriate or sound community development.

H. Conditions of Variance and Modification.

1. In granting variances and modifications, the Commissioners may require such conditions as will, in its independent judgment, secure substantially the objectives of the standards or requirements so varied or modified.
2. Before deciding upon any such variances or modifications, the Commissioners shall give notice to abutting property owners or other persons substantially interested in the proposed change, as Commissioners may determine, or it may hold a public hearing thereon.

SECTION VIII. STANDARD FORMS

The following forms have been suggested by the Commissioners for use on final subdivision plats. **Wording should be adjusted to suit circumstances.**

A. Certificate of Engineer or Surveyor.

The within plat is a subdivision of _____ acres conveyed to _____ by deed as recorded in Deed Book _____, Page _____ in the deed records of Belmont County, Ohio.

The above mentioned tract of land was conveyed by _____ (name of grantor) _____.

Acreage contained in dedicated roads is acres.

Acreage contained in lots acres.

Acreage contained in public park is acres.

Total acreage is

I, hereby, certify that this map is a true and correct survey made by me on ___(date)___; that all monuments are set as shown. (See Page 10, item 14)

(Sign, using India Ink)

Registered Surveyor No.

B. Owner's Consent and Dedication.

We, the undersigned, being all of the owners of the lands herein platted, do hereby voluntarily consent to the execution and recording of the said plat and do dedicate the street, (Park or public grounds), as shown hereon to the public use forever. We also hereby dedicate easements, to run with land, for water, sewer, gas, electric, telephone, or other public utility lines or services under, on or over those certain strips of land designated hereon as "Utility Easements."

The area encompassed in the segments of the turnaround circle laying outside the _____ foot right-of-way shall be in the nature of an easement for road purposes and shall revert to the abutting property owners when the road is legally extended beyond the limits of this plat.

(Sign, using India Ink)

(Sign, using India Ink)

Witness

Witness

(Dower interest also sign)

(If there is more than one owner, it may be necessary to designate, beside their signatures or in some other acceptable manner, the portions of the plat owned).

STATE OF OHIO
BELMONT COUNTY ss:

Be it remembered that on this _____ day of _____, 19 __, before me the undersigned, a notary public in and for said county and state, personally came _____ and _____ who acknowledged that they did sign the foregoing plat and that the same is their free act and deed.

In testimony whereof, I have set my hand and notary seal on the day and date above written.

Notary Public in and for
Belmont County, Ohio

Note: Within the three mile limit of a City (When required by law) the following shall be on the plat also.

Approved by the ----- City Planning Commission

Date -----, 19-----.

Secretary

County Engineer.

Approved for Record -----

Belmont County Engineer

Date -----, 19-----.

County Commissioners.

Approved for Record, subject to the rules and regulations governing the platting of subdivisions of land.

BELMONT

COUNTY

COMMISSIONERS -----

Date -----, 19-----.

County Auditor.

Transferred by Belmont County Auditor.

Date -----, 19-----.

Fee -----

County Recorder.

No. -----

Received for Record -----, 19--, at ----- o'clock --- M.

Recorded -----, 19-----.

In Belmont County Record of Plats.

Volume -----, Page -----.

----- Recorder.

C. Agreement—Construction of Improvements.

New Subdivision or Section Thereof

THIS AGREEMENT, entered into this ----- day of -----, 19--, by and between the County of Belmont, a political subdivision of the State of Ohio, by the Board of County Commissioners thereof, herinafter called the Commissioners, and ----- hereinafter called the SUBDIVIDER.

WITNESSETH:

In consideration of the mutual promises herein contained, the Commissioners, on behalf of Belmont County, and the SUBDIVIDER, on behalf of (himself) (herself)

(his) (her) heirs, executors and assigns, (do) (does) hereby covenant and agree as follows:

Article 1. THE COMMISSIONERS, upon execution of this AGREEMENT and the bond for the faithful performance of this agreement, agree to release the SUBDIVIDER'S plat of subdivision entitled _____ as stated in _____ Township, Section _____ T. _____ R. _____ Belmont County, Ohio, for filing and recording in the office of the County Recorder prior to the completion of the public improvements shown on the above named Plat, and those further shown and set forth to be done and performed by the engineering drawings and specifications marked as follows, all of which are hereby made a part hereof:

NAME OF DRAWING

DRAWING NO.

SPECIFICATIONS

And said work shall include construction of approximately:

_____ Sq. ft. of _____
_____ Lin. ft. of _____
_____ Lin. ft. of _____
_____ Sq. yds. of _____

Article 2. The Subdivider agrees at his own cost and expense to do all the work, as hereinbefore described and under the conditions expressed in any material and labor or faithful performance bond executed therefor, and to furnish all the materials (except such as are mentioned in the specification to be furnished by the COMMISSIONERS) necessary to construct and complete such work in a good and substantial manner to the satisfaction of the COUNTY ENGINEER.

And further as may be applicable, all streets, alleys, and other public ways shall be graded to their full width, including side slopes, to a grade approved by the County Engineer; the roadways shall be crowned, proper base course constructed, or otherwise improved to the specifications and satisfaction of the County Engineer; underground storm water drainage, such as sluices, culverts, or pipe sewers in order to eliminate the collection of surface water in any low area and to take care of the drainage of any natural water course, made necessary by the grading of the street, shall be constructed, and sanitary sewers and water mains and connections for both shall be installed in accordance with approved lot layout.

Article 3. The SUBDIVIDER agrees to perform all work within a period of two years from the date of this agreement, which is hereby fixed by the COMMISSIONERS as a reasonable period, but an extension of time may be granted if approved by the COMMISSIONERS.

Article 4. The SUBDIVIDER agrees further to execute bond, equal to the cost of construction of improvements based on an estimate furnished or acceptable to the County Engineer, and to the satisfaction of the COMMISSIONERS, to insure the faithful performance of this agreement.

Witness

Witness

SUBDIVIDER

Attest:

President—Board of County
Commissioners for Belmont
County, Ohio

NOTE: In case the PLAT OF SUBDIVISION is located within the 3 mile zone, the required Bond and Agreement should be secured by the Board of County Commissioners and acceptance of work should be by the County Engineer, except as the City desires the work to be accomplished in some other manner.

D. Bond for Faithful Performance of Agreement.

KNOW ALL MEN BY THESE PRESENTS:

That we ----- as principal, and ----- as Surety, are held and firmly bound unto the County of Belmont, and State of Ohio, in the just and full sum of ----- (\$-----) for the payment whereof, well and truly to be made, said Principal and Surety bind themselves, their heirs, administrators, successors and assigns, jointly and severally firmly by these presents.

The condition of the foregoing obligation is such that:

WHEREAS, said Principal will make the following improvements: All public improvements and other work as set forth to be done and performed in accordance with the plans, specifications and provisions of the agreement executed between said Principal and the Board of County Commissioners, for the development and improvement in --- (Name of Subdivision Plat) --- stated in Section ---, Township ---, Range ---, Township ---, Belmont County, Ohio.

NOW, THEREFORE, if the above bounded Principal shall fully and faithfully perform all work specified to be done and performed by the agreement executed between the Principal of this Bond and the Board of County Commissioners of Belmont County, and within the time prescribed, and in accordance with the plans, specifications and provisions therefor, to which reference is here made, the same being a part thereof, as if fully incorporated herein; then this obligation shall be void upon the delivery to the Principal of a statement signed by the County Engineer of the completion to the satisfaction of the County Engineer; otherwise to remain in full force and effect in law; it being expressly understood and agreed that the liability of the surety for any or all claims hereunder shall in no event exceed the penal amount of this obligation as herein stated.

The said Surety hereby stipulates and agrees that no modifications, omissions or additions, in or to the terms of said agreement, or in or to the plans or specifications therefor, or any extension of time, shall in any wise affect the obligations of said Surety on its bond.

WITNESS OUR HANDS THIS ----- day of -----, 19-----.

PRINCIPAL

SURETY

(This form shall not appear on any plat unless authorized to be placed thereon by the County Engineer)

ACCEPTANCE OF STREETS
ALLOTMENT NAME & IDENTIFICATION

This will certify that upon request of the owner and developer of the lands dedicated as public street or streets, in the _____, that we, in conjunction with the Belmont County Engineer, have checked said street or streets and find that it or they substantially conform to the specifications set forth on the plat or plats which are in accord with Rules and Regulations (now) approved by the Board of Belmont County Commissioners, and in effect that such street or streets are in good repair; and further this endorsement shall constitute an acceptance of said street or streets for public use by Belmont County and _____.

_____, 19___ (Date of Inspection)

Dated _____

Dated: _____

SECTION IX. VIOLATIONS AND PENALTIES

Inasmuch as the citizens of Belmont County, Ohio, are not generally informed as to the laws regulating the platting and subdivision of land, the following sections of the Revised Code of Ohio concerning matters of violations and penalties are quoted below:

O.R.C. Section 711.102. Violations of Rules and Regulations.

Whoever violates any rule or regulation adopted by the legislative authority of a municipal corporation or a board of County Commissioners pursuant to section 711.101 of the revised code or fails to comply with any order issued pursuant thereto, shall forfeit and pay not less than Ten nor more than One Thousand Dollars.

Such sum may be recovered with costs in a civil action brought in a court of common pleas of the county in which the land lies relative to which such violation occurred, by the legal representative of the village, city or county, in the name of such village, city or county for the use thereof.

O.R.C. Section 711.09. Planning Commission or Legislative Authority to Approve Plat.

The approval of the planning commission, platting commissioner, or the legislative authority of a village, required by this section, or the refusal to approve, shall be endorsed on the plat within thirty days after the submission of the plat for approval or within such further time as the applying party may agree to; otherwise such plat is deemed approved, and the certificate of the planning commission, platting commissioner or the clerk of such legislative authority, as to the date of the submission of the plat for approval and the failure to take action thereon within such time, shall be issued on demand and shall be sufficient in lieu of the written indorsement or other evidence of approval required by this section. The ground of refusal or approval of any plat submitted, including citation of, or reference to the rule or regulation violated by the plat, shall be stated upon the record of the commission, commissioner, or legislative authority.

O.R.C. Section 711.12. Forfeiture for Wrongfully Recording Plats.

A county recorder who records a plat contrary to sections 711.01 to 711.38, inclusive, of the Revised Code, shall forfeit and pay not less than One Hundred nor more than Five Hundred Dollars to be recovered, with costs in a civil action by the prosecuting attorney in the name and for the use of the county.

O.R.C. Section 711.121. Conveyances Contrary to Plat Law.

The county auditor and the county recorder shall not transfer property or record deeds or leases which attempt to convey property contrary to the provisions of Chapter 711. of the Revised Code. In case of doubt, the county auditor or county recorder may require the person presenting such deed or lease to give evidence of the legality of a conveyance by metes and bounds by an affidavit as to the facts which exempt such conveyance from the provisions of Chapter 711. of the Revised Code.

O.R.C. Section 711.13. Transfer of Land Before Recording: Forfeiture.

Whoever, being the owner or agent of the owner of any land within or without a municipal corporation, willfully transfers any lot, parcel, or tract of such land from or in accordance with a plat of a subdivision as specifically defined in this chapter, before such plat has been recorded in the office of the county recorder,

shall forfeit and pay the sum of not less than Ten nor more than Five Hundred Dollars for each lot, parcel, or tract of land so 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 forfeiture provided in this section.

If such land is within a municipal corporation, such sum may be recovered in a civil action, brought in any court of competent jurisdiction by the city solicitor or other corresponding official of the municipal corporation in the name of the municipal corporation and for the use of the street repair fund thereof.

If the land is situated outside a municipal corporation, such sum may be recovered in a civil action, brought by the prosecuting attorney, other corresponding official, or planning commission of the county in which the land is situated in the name of the county and for the use of the road repair fund thereof.

The sale of lots, parcels or tracts from a plat of a subdivision on which any and all areas indicated as streets or open grounds are expressly indicated as for the exclusive use of the abutting or other owners in such subdivision and not as public streets, ways, or grounds shall not serve to exempt the seller from the requirements of this chapter or from the forfeiture herein provided.

O.R.C. Section 711.14. Planting of Cornerstone: Forfeiture.

Any person who lays out a village or an addition to a municipal corporation, and neglects to plant the cornerstone therein, or causes such village or addition to be surveyed or platted in any manner other than that prescribed in sections 711.01 to 711.13, inclusive, of the Revised Code, shall forfeit and pay One Hundred Dollars and costs of suit, to be recovered in a civil action in the name of the county treasurer, for the use of the county.

O.R.C. Section 711.03. Cornerstone.

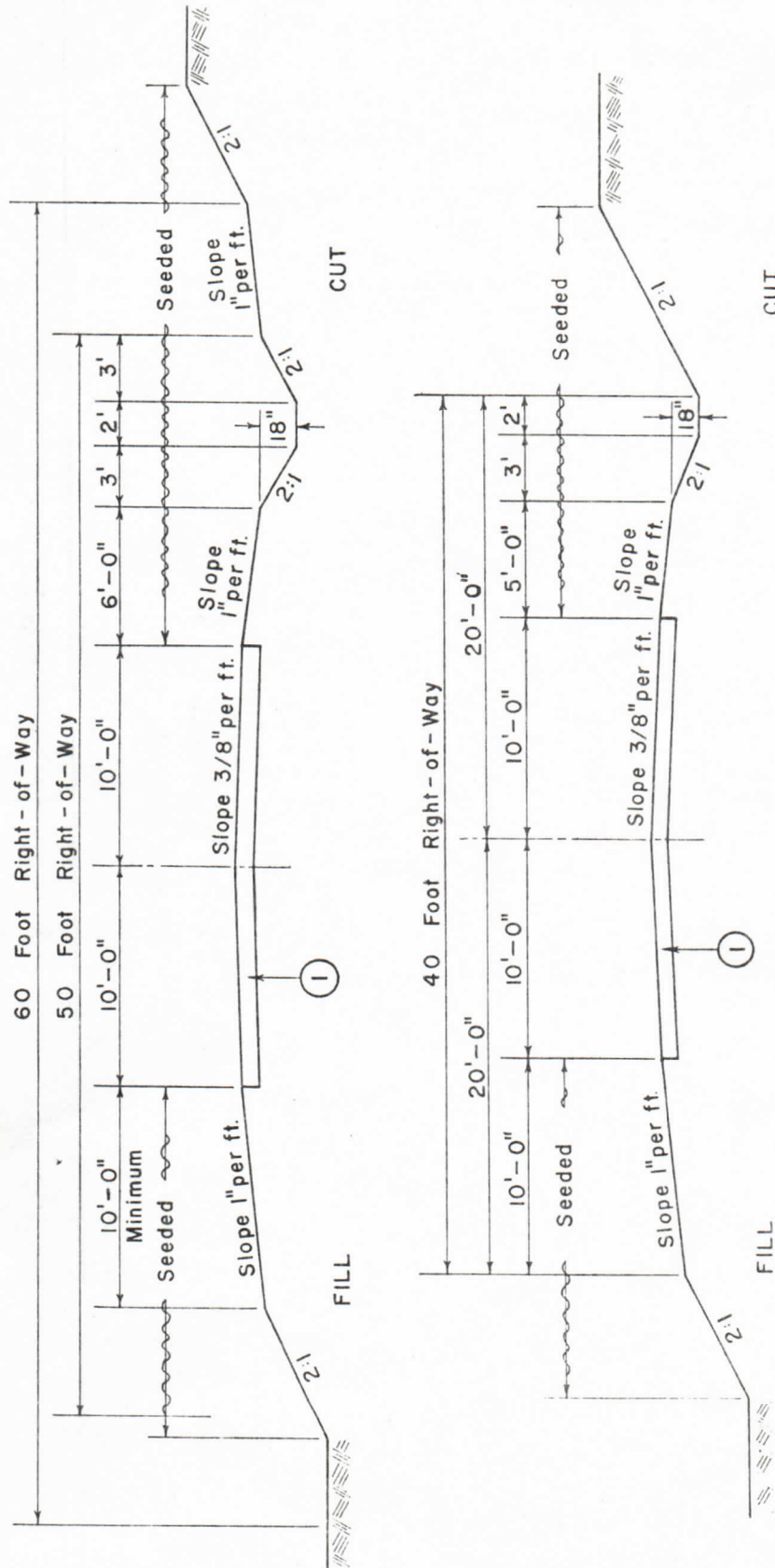
At the time of surveying and laying out a village, or subdivision or addition to a municipal corporation, the proprietor of such village, or subdivision or addition, shall plant at the corner of the public ground or lot, if there is such, and if there is none, then at the corner of one of the in-lots and at the corner of each out-lot, a good and sufficient stone, of such size and dimensions and in such manner as the surveyor provided for under Section 711.01 of the Revised Code directs, for a corner from which to make future surveys, and the point at which it may be found shall be designated on the plat.

Such proprietor shall also set at least four permanent markers in each plat of ten lots or less, and not less than six permanent markers in each plat containing over ten lots; iron pins shall be set at all lot corners. Such permanent markers shall be one inch pipe or steel rods set in and running through a concrete block and at least six inches in diameter and at least thirty inches long, and the bottom of such concrete block shall be set at least thirty inches deep, below finished grade in the plat, and the points at which they may be found shall be designated on the plat.

SECTION X. VALIDITY.

If any article, section, subsection, paragraph, sentence or phrase of these regulations is for any reason held to be invalid by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of these regulations.

TYPICAL SECTION ALLOTMENT STREETS



- ① 6" (Compacted) Bank or Crusher Run Aggregate. Item T-10
(Or equal as determined by the County Engineer and approved by the County Commissioners.)

The specifications of the State of Ohio, Department of Highways, for construction and materials, shall govern the building of said street.

NOTE-Seeding is recommended but not required.

