

ORDINANCE NO. 80-56
SUBDIVISION ORDINANCE
OF THE
CITY OF DECATUR, ILLINOIS

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF DECATUR,
ILLINOIS:

SECTION 1

TITLE

1-1. This Ordinance shall be known and may be cited and referred to as the Subdivision Ordinance of the City of Decatur.

SECTION 2

DEFINITIONS

2-1. ALLEY - a public way within a block, generally giving access to the rear of lots or buildings and not used for general traffic circulation.

2-2. BLOCK - a tract of land bounded by streets or by a combination of one or more streets, shore lines of streams or other lines of demarcation.

2-3. BUILDING SETBACK LINE - a line of a plat within a lot or other parcel of land which denotes the area between such line and the adjacent lot line where structures are prohibited, except utility transformer vaults and those structures permitted under the provisions of the Zoning Ordinance.

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2-4. CONSTRUCTION STANDARDS - the engineering design standards and specifications for the construction of roads and streets, sanitary sewers, storm sewers, water mains, traffic signals, sidewalks and other miscellaneous improvements as adopted by the City of Decatur and from time to time currently in force.

2-5. LOT - a portion of a subdivision or any other parcel or tract of land, intended as a building site or otherwise intended to be developed or used as unit under separate ownership, rental, lease agreement, or other agreement.

2-6. LOT, CORNER - a lot having frontage on two intersecting streets.

2-7. PEDESTRIAN WAY - a dedicated right of way across or within a block designated for pedestrian use.

2-8. PLAN COMMISSION - the Plan Commission of the City of Decatur, Illinois.

2-9. PLAT - a map, drawing, or chart which portrays a plan for the division or subdivision of a parcel of land.

2-10. PLAT, FINAL - a drawing to engineering accuracy and containing those items specified by this ordinance indicating the layout of lots, blocks, easements, and public ways in a subdivision, together with the legal documents required herein for recording in the Macon County Recorder's Office.

2-11. PLAT, PRELIMINARY - a tentative map or plan of a proposed subdivision containing the information required by this

ordinance and which is not intended to be recorded in the records of the Macon County Recorder's Office.

2-12. PUBLIC IMPROVEMENT - any street, sewer, watermain, sidewalk, or any other facility whether proposed or constructed which is intended to be dedicated to a governmental agency for maintenance.

2-13. STREET - the pavement structure, curbing and guttering, together with those related items normally and customarily constructed as a part of a roadway improvement designed and intended for vehicular traffic to move upon.

2-15. STREET, COLLECTOR - a street which collects and distributes traffic between major and local streets.

2-16. STREET, CUL DE SAC - a local street having but one permanent outlet.

2-17. STREET, DEAD END - a street having but one outlet but which is intended to be extended - a stub street.

2-18. STREET, HALF - a local street having a right of way width of thirty feet or less and a pavement width of twenty-two feet or less.

2-19. STREET, LOCAL - a street designed and intended to serve abutting properties and which ordinarily carries a low volume of traffic at low speeds and a limited amount of traffic which has neither an origin or destination within the immediate vicinity.

2-20. STREET RIGHT-OF-WAY - the land permanently reserved and intended to be used for the placement of a street together with sidewalk, watermains, sewers and other public utilities and facilities

both above and below the grade and which will also afford the primary means of access to an abutting property when improved.

2-21. STREET, PRIVATE - a local street not dedicated to a governmental unit for public use.

2-22. STREET, PUBLIC - a street dedicated for public use and which has been accepted by the governmental unit having jurisdiction.

2-23. SUBDIVIDE - to divide, either by survey or description, any parcel or tract of land into two or more parts, whether for the purpose of conveyance of title or possession, or to improve any parcel or tract of land with streets, sewers, watermains or other improvements similar in kind or size to public improvements as is done in connection with developments commonly known as planned unit developments, residence development plans or mobile home parks, but excluding such divisions for the purpose of creating rights of way for streets or utilities or the division of farm land to continue to be used only for agriculture.

2-24. SUBDIVIDER - any owner or his authorized representative who undertakes to cause a parcel or tract of land to be subdivided.

2-25. SUBDIVISION - a tract of land which has been subdivided.

2-26. SUBDIVISION DESIGN STANDARDS - the basic land planning and development principles established herein.

2-27. SUBDIVISION IMPROVEMENT - any changes to land and/or the addition of utilities deemed necessary to prepare it for building sites or other development including, but not limited to: grading, streets, curb, gutter, sidewalks, monuments, lot pins, drainage ways,

sanitary sewers, storm sewers, fire hydrants, water mains, and other public facilities and appurtenances.

2-28. SUBDIVISION, MINOR - a subdivision of five lots or fewer.

2-29. WALK - the surfaced area within a street right of way or pedestrian way designed and intended for pedestrian traffic a sidewalk.

All other terms used in this ordinance shall have their normal meaning except that terms common to engineering and land surveying shall be used in their professional sense.

SECTION 3

PLAT REQUIRED

3-1. It shall be unlawful for the owner of any land within the corporate limits of the City of Decatur, or within one and one-half miles of said corporate limits and not within any other municipality, to subdivide said land except by a plat in accordance with the provisions of this ordinance.

3-2. It shall be unlawful for the owner of any land within the corporate limits of the City of Decatur or within one and one half miles of said corporate limits and not within any other municipality, to improve said land with streets, sewers, watermains or other improvements similar in kind or size to public improvements as is done in connection with developments commonly known as planned unit

developments, residence development plans or mobile home parks except by a plat in accordance with the provisions of this ordinance.

3-3. It shall be unlawful for the owner of any land within the corporate limits of the City of Decatur, or within one and one half miles of said corporate limits and not within any other municipality, to offer or present for recording or record with the Recorder of Deeds of Macon County any plat of subdivision of said land unless said plat has been approved in accordance with the provisions of this ordinance.

SECTION 4

FEEES

4-1. A filing and engineering review fee shall be paid to the City Treasurer at the time a preliminary plat is filed with the Department of Community Development, or at the time a final plat is so filed if there was no preliminary plat, according to the following fee schedule:

Subdivision ----- \$125 plus \$15 per lot

Minor Subdivision ----- \$100 plus \$20 per lot

(AMENDED BY ORDINANCE NO. 86-16, March 3, 1986)

(AMENDED BY ORDINANCE NO. 87-30, March 16, 1987)

SECTION 5

PRELIMINARY PLAT

5-1. Before submitting a preliminary plat, a subdivider may submit a sketch plan of the proposed subdivision to the Department of Community Development. The sketch plan should consist of a location map, proposed lot layout, location of existing and proposed public improvements in the subdivision and in the property contiguous thereto, and sufficient data to identify the subdivider and all parties involved.

5-2. A subdivider shall file a preliminary plat with the Department of Community Development together with a receipt showing that the filing and engineering review fee required herein has been paid to the City Treasurer.

5-3. Fifteen (15) copies of the preliminary plat shall be submitted at the time of filing, provided that only five (5) copies of the preliminary plat of a minor subdivision need to be submitted at such time; however, should the preliminary plat of a minor subdivision be referred to the City Council for approval, the subdivider shall submit ten (10) additional copies upon request of the Department of Community Development.

5-4. A preliminary plat shall:

(a) Show the location of all existing property lines, section lines, streets, buildings, easements, water courses and other existing features within the area to be subdivided

and similar information regarding land immediately adjacent thereto sufficient to show a true picture.

(b) Be drawn at a scale of not less than one inch to 100 feet for lots of less than 1/2 acre and not less than one inch to 200 feet for lots of 1/2 acre or more, and on reproducible tracing paper having a minimum sheet size of 8 1/2 inches by 11 inches and a maximum sheet size of 24 inches by 36 inches. If the size of the subdivision requires that more than one sheet be used to show the entire subdivision at the specified scale, then an index sheet shall be provided in addition to said sheets showing the entire subdivision at a reduced scale on one sheet of the size required herein.

(c) Show the proposed location and width of streets, street right-of-way, alleys, lots, building lines, and easements.

(d) Show the name under which the proposed subdivision is to be recorded, the names and addresses of the registered professional engineers, registered land surveyors and subdivider. The name block shall include the words "Preliminary Plat" and shall be shown on each sheet.

(e) Contain a location map and the legal description of the property included in the proposed subdivision.

(f) Contain a topographic map showing existing contours referenced to U.S. Geological Survey datum with intervals of two feet unless a greater or less contour interval is

required by the Director of the Department of Public Works because of exceptional topographic conditions.

(g) Show the north point, scale and date. The scale shall be shown both graphically and numerically.

(h) Show site data including total acres, number of lots, typical lot dimensions and area, lineal feet in streets, acres in streets, parks and similar public or semi-public areas, and a list of all the local government jurisdictions in which the proposed subdivision lies.

(i) Show areas subject to flooding and the base flood elevation, as defined in Ordinance No. 78-117, as amended.

(k) Show engineering design and construction plans and specifications, including detailed data setting out the grades and sizing of all required improvements, together with the subdividers proposal to accomplish their installation in accordance with the Construction Standards of the City of Decatur.

(l) Show the location and a description of any and all known survey monuments.

5-5. At the time of filing of the preliminary plat, the subdivider shall submit written approvals from the necessary public utilities of the utility easements shown thereon.

5-6. After the preliminary plat has been filed with the Department of Community Development, said plat may be considered by the Plan Commission at a public hearing. The Plan Commission may recommend

to the City Council that such preliminary plat be approved or disapproved, or make such other recommendationst if any, as may appear appropriate.

5-7. Action to approve or deny preliminary plats shall be taken by the City Council, provided that action to approve or deny preliminary plats of minor subdivisions may be taken-by the Director of Community Development with the concurrence of the Director of Public Works.

(AMENDED BY ORDINANCE NO. 86-16, March 3, 1986)

5-8. Upon approval, one copy of the preliminary plat shall be given to the subdivider appropriately endorsed so as to indicate its approval. Such approval does not constitute authority to subdivide such premises nor shall such approval constitute authority to subdivide such premises nor shall such approval constitute authority for the issuance of any building permits or the assignment of street addresses based on the preliminary plat.

5-9. Approval of the preliminary plat shall constitute authority for the subdivider to proceed with installation of the required improvements and the preparation of the final plat; however, no construction shall commence until after the Director of the Department of Public Works has been notified, in writing, when work is scheduled to begin or until after a pre-construction conference has been held with said Director.

SECTION 6

FINAL PLAT

6-1. A final plat, including final plats for all phases of any multi-phase subdivision, must be filed for approval within two years of the date of the approval of the preliminary plat, provided that the Council may grant extensions for successive periods. If no final plat is filed for approval within said two years, or any extension thereof, the authority to proceed with the installation of the required improvements and the preparation of the final plat is terminated and the previously approved preliminary plat is null and void as to all phases or portions not filed for final approval.

6-2. A subdivider shall file a final plat with the Department of Community Development. The original plat, plus fifteen (15) copies thereof, together with the original owner's declaration plus three copies thereof, shall be filed, provided that, in the case of a minor subdivision, only the original plat and owner's declaration plus three copies of each are required to be filed; however, should the final plat of a minor subdivision be referred to the City Council for approval, the subdivider shall submit twelve (12) additional copies of the final plat upon request of the Department of Community Development.

6-3. A final plat shall:

(a) Show the boundary lines of the area being subdivided with accurate distances and angles. The correct legal description of the property being subdivided shall be shown on

the plat, or an accompanying certificate. The subdivider shall also provide the legal description of the recorded tracts from which the subdivision is taken or the recorded tracts of which it is composed.

(b) Show the lines of all proposed streets and alleys and their widths, and the names of all streets.

(c) Show the accurate outlines of any portions of the property intended to be dedicated for public use.

(d) Show the angle of departure of any street from another.

(e) Show the lines of all adjoining properties and the lines of adjoining streets and alleys and their widths and the names of all adjoining streets.

(f) Show all lot lines together with an identification for all lots. All lot identification shall be a consecutive numerical system and no lot shall be identified as an "outlot" or by a letter.

(g) Show minimum building lines, which shall not be less than those required for the Zoning District in which such subdivision lies.

(h) Show the location of all easements dedicated for public use, including a statement as to the exact nature of the easement.

(i) Show all dimensions, both linear and angular, necessary for locating the boundaries of the subdivision, and

of the lots, streets, alleys, easements and other areas for public or private use. Linear dimensions are to be given to the nearest 1/100th of a foot. Angular dimensions shall include all line bearings and internal angles.

(j) Show the radii, arcs or chords, points of tangency and curve data for all curvilinear streets and radii for rounded corners.

(k) Show the location and a description of all survey monuments.

(l) Show the name of the subdivision and the scale of the plat, north point, and the name or names of the owners and subdivider.

(m) Contain the certificate of registered Illinois Land Surveyor attesting the accuracy of the survey and the correct location of all monuments shown.

(n) Show calculations showing the error of linear closure, which error shall in no case be greater than one in five thousand, and the error in the angular closure not greater than one minute times the square root of the number of sides.

(o) Contain a certificate showing that there are no unpaid taxes or assessments upon any part of the area within the subdivision.

6-4. The owner's declaration shall effect the provisions of this ordinance and the intentions of the subdivider with regard to

property to be dedicated to the public, easements, covenants, property maintenance and all such similar grants and rights or burdens running with the land and shall be in a form approved by the Corporation Counsel.

6-5. After the final plat has been filed with the Department of Community Development, said plat may be considered by the Plan Commission at a public hearing. The Plan Commission may recommend to the City Council that such final plat be approved or disapproved or make such other recommendation, if any, as may appear appropriate.

6-6. No final plat shall be approved until:

(a) The required improvements have been installed in accordance with the approved preliminary plat and proper record drawings and certificates of such installations are on file with the Department of Public Works, or

(b) The subdivider has filed with the City Clerk a bond in an amount sufficient to assure the construction, installation or completion of improvements in accordance with the approved preliminary plat and within the time period specified in said bond, said period not to exceed two years.

6-7. Action to approve or deny final plats shall be taken by the City Council, provided that action to approve or deny final plats of minor subdivisions may be taken by the Director of Community Development with the concurrence of the Director of Public Works.

(AMENDED BY ORDINANCE NO. 86-16, March 3, 1986)

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6-8. An approved final plat must be recorded with the Recorder of Deeds of Macon County, Illinois within 120 days after approval; if such an approved final plat is not so recorded within said time, then said approval is terminated.

SECTION 7

SUBDIVISION DESIGN AND CONSTRUCTION STANDARDS

7-1-1. All subdivision designs and improvements shown on or constructed pursuant to any preliminary plat filed under the provisions hereof shall be in compliance with the requirements and standards set out in this Section 7 and the Construction Standards of the City of Decatur.

7-2-1. The arrangements of streets and alleys shall not be such as to cause hardship to owners of adjoining property in platting their own land or prohibiting convenient access to it, and the arrangement of streets shall be such as to allow existing streets in adjoining areas to be continued or for said new streets to be conveniently projected onto adjoining unplatted land in accordance with public necessity.

7-2-2. Not more than two streets shall intersect at any one point.

7-2-3. The centerline or centerlines of any street or streets which intersect and end at the opposite sides of another street shall not be closer than 150 feet apart.

7-2-4. The angle of intersection between local and arterial streets shall not vary by more than ten (10) degrees from a right angle.

7-2-5. A street in alignment or configuration with an existing street shall bear the name of the existing street, and no street shall be so named as to be in conflict or cause confusion with an existing street name.

7-2-6. Except for cul-de-sacs, streets which change direction by more than fifty (50) degrees for a distance of more than one hundred fifty (150) feet shall not use the same name the entire length of said street. The name of said street shall be changed at the intersection of another street nearest the change of direction or, if there is no such street intersecting within 150 feet of the change in direction, at a convenient point at one end of the curve.

7-2-7. The location of major and collector streets shall conform to those designated in the Decatur Urbanized Area Transportation Study (D.U.A.T.S.).

7-2-8. Local street right-of-way shall be a minimum of fifty (50) feet; provided that, a subdivider shall dedicate a half-street adjoining an existing half-street if the property being subdivided so adjoins such an existing half-street.

7-2-9. Pavement design calculations for all streets, in accordance with the State of Illinois Division of Local Roads Design Manuals, shall be submitted to and approved by the Engineering Division of the Department of Public Works.

7-2-10. Street name signs shall be provided and erected by the subdivider at all intersections.

7-2-11. Alleys shall be a minimum of 20 feet in width. Alleys shall not dead end nor contain any sharp change of direction in their configuration.

7-2-12. Sidewalks shall be constructed on both sides of all streets in the subdivision; provided that, sidewalks may be constructed at the rear of the lot, but only if difficult contours or other unusual conditions make it impractical for sidewalks to be constructed in front of the lots.

7-2-13. Along all major and collector streets the sidewalk shall be constructed one (1) foot from the property line.

7-2-14. Sidewalks must be constructed on all pedestrian ways.

7-2-15. All street right-of-way, alleys, pedestrian ways shall be graded to their full width, including side slopes, and to the appropriate grade.

7-3-1. Easements for public utilities and surface water drainage shall be provided in such manner as to furnish convenient access therefor to each lot. All easements shall be aligned such that existing, and any future, utilities or drainage facilities can be extended beyond the boundaries of the subdivision.

7-3-2. Whenever any stream or important surface drainage course is located in any area which is being subdivided, the subdivider shall dedicate and convey drainage easements as approved by the Director of the Department of Public Works for the purpose of

widening, deepening, sloping, improving or protecting and maintaining the stream or surface drainage course.

7-4-1. If any block is over 750 feet in length, a pedestrian way with a right-of-way of at least 10 feet in width is required near the center of the block.

7-4-2. Courts and dead end streets may be provided only if proper access is given to all lots. All local residential streets designed as cul-de-sac streets shall terminate in a street having a minimum radius of 50 feet, provided that in commercial and industrial subdivisions the minimum radius of the cul-de-sac at terminus shall be 60 feet. Dead-end streets shall be provided with a temporary turnaround of at least 75 feet diameter.

7-5-1. Every lot shall be designed to meet the minimum lot area and size requirements of the applicable zoning district; corner lots shall have a width sufficient to permit the establishment of front yard along all adjacent or abutting streets in accordance with the Zoning ordinance.

7-5-2. Lots at all street intersections shall have a minimum radius of 25 feet at the street corner. on commercial or industrial lots a chord may be substituted for the circular arc.

7-5-3. All lots shall front on a street.

7-5-4. Lots having frontage on both a major street and either a collector or local street shall not have direct vehicular access to the major street.

7-5-5. Lot lines shall be substantially perpendicular, or radial, to the street line.

7-6-1. Permanent monuments from which future surveys may be made shall be referred to on the plat. If no such monuments exist, the subdivider shall plant in such manner that they will not be moved by frost not less than two good and sufficient monuments to witness the extreme corners of the tract subdivided and shall designate upon the plat the points where they may be found. Any existing monuments shall be preserved.

7-6-2. Iron pipes on steel rods shall be set at all lot corners.

7-6-3. All points of tangency and points of curvature shall be marked with iron pins having a minimum diameter of one half inch and a minimum length of 30 inches and shall be located on the property line.

7-7-1. Each lot within the corporate limits of the City of Decatur shall be provided with a connection to a municipal water supply system, said service connections to terminate in the public right-of-way and in an area not covered with sidewalk, driveway or other pavement.

7-7-2. Fire hydrants and shut-off valves shall be installed in all subdivisions within the corporate limits of the City of Decatur in locations approved by the departments having responsibility for the same.

7-7-3. No water main shall be connected to the existing system until and unless the main has been sterilized in a manner approved by, and under the direction of the Water Department.

7-8-1. Each lot within the corporate limits of the City of Decatur shall be provided with a connection to a sanitary sewer, said service connection to terminate in the public right of way and in an area not covered with sidewalk, driveway or other pavement.

7-9-1. The subdivision shall be laid out so as to provide proper drainage of the area being subdivided. Drainage improvements shall maintain any substantial natural water-course and shall prevent the accumulation of stagnant water in any low areas. A system of disposing of the storm water, approved by the Department of Public Works, shall be provided. Such drainage system shall be designated in conformity with the "Report on Storm Drainage for the City of Decatur, Illinois, 1966.11

7-9-2. If a storm drainage system for a proposed subdivision is designed to outlet into an existing storm sewer system, the existing system must be shown by application of generally accepted good engineering practices and principles to be adequate to carry the proposed additional flow. If the existing sewer is found to be inadequate to do so, some provisions must be made to accommodate the additional flow, such as a parallel storm sewer, a storm water accumulation area, or such other provision as is approved by the Director of the Department of Public Works.

7-9-3. Whenever natural topography does not allow the flow

of ground water from individual sump pumps to be directly discharged into a natural watercourse, the developer shall provide an underdrain system to provide an outlet for the discharges for said sump systems. The drain system shall consist of a six-inch rigid PVC pipe laid to a minimum depth of three feet six inches; the trench shall be backfilled with aggregate. Pipe and aggregate backfill shall be in accordance with the applicable provision of Section 607 of the "Standard Specifications for Road and Bridge Construction, State of Illinois". Each lot will be provided with a two-inch riser pipe for future connection of a sump pump discharge line. Each riser's location shall be duly noted on record drawings provided by the developer.

(AMENDED BY ORDINANCE NO. 93-27, May 17, 1993)

7-10-1. Utility services and connections shall be constructed and installed according to standards and specifications approved by the franchised utility company, and in residential subdivisions shall be installed underground.

7-10-2. Electric and telephone service shall be available to each lot.

7-11-1. The owner's declaration shall provide that improvements and common areas that are not dedicated to the public shall be the responsibility of and maintained by the owner or owners of land within the subdivision, as approved by the Corporation Counsel.

SECTION 8

BONDS

8-1. Whenever a bond to assure the construction, installation or completion of improvements in accordance with an approved preliminary plat, or otherwise, is required by the provisions of this ordinance, such bond shall be provided by the owner of the land sought to be subdivided in such amount as is determined to be 120% of the estimated cost of all the improvements covered thereby and which bond shall have as security thereon a surety company qualified to do business in the State of Illinois. In lieu of the security aforesaid, the obligor of such bond may deposit with the City Treasurer, in an amount equal to the amount of such bond, cash, a certified check, a cashier's check, a letter of credit, certificates of deposit, an assignment of a deposit in a bank, trust company or savings and loan association, or direct obligations, becoming due and payable during the term of such bond, of the United States of America, the State of Illinois, or the City of Decatur. The security so deposited shall be either made payable to the City of Decatur, or shall be accompanied by a valid assignment or pledge thereof in such form as is sufficient to vest the deposited security in the City of Decatur upon presentation thereof to the bank, trust company, association or government connected therewith. No bond shall be tendered to the Council unless the same is accompanied by the recommendation of the Corporation Counsel as to the security offered therewith. Any interest which shall accrue upon the security deposited as aforesaid may be paid directly to the principal

who deposited the security with the City Treasurer, or if the same is paid to the City Treasurer, he shall pay the same over to said principle. The City shall not be obligated to pay interest on any cash or other non-interest bearing security deposited hereunder. From time to time, as the improvements are completed by the obligor and upon written application to the Director of Public Works, the amount of security may be reduced by an amount equal to the cost of the improvements completed and the Director of Public Works may request that the City Treasurer return that amount to the obligor. No such bond shall be fully released until the improvements are accepted by the City in writing.

SECTION 9

MODIFICATIONS OF REQUIREMENTS

9-1. Whenever the tract to be subdivided is of such unusual size, shape or topography, or is surrounded by such development or unusual conditions that the strict application of the requirements contained in this ordinance would result in real difficulties or substantial hardship, the Council may vary or modify such requirements as to any subdivision, or the Director of Community Development, with the concurrence of the Director of Public Works, may vary or modify such requirements as to any minor subdivision, so that the subdivider may develop his property in a reasonable manner, but so that at the same time the public welfare and interests of the City and surrounding area

are protected and the general interest and spirit of this Ordinance are preserved.

(AMENDED BY ORDINANCE NO. 86-16, March 3, 1986)

SECTION 10

ADMINISTRATION AND ENFORCEMENT

10-1. The City Manager is hereby authorized to cause to be established, promulgated, published and enforced such reasonable rules, regulations, and procedures, not in conflict with the provisions hereof, as may to said officer appear to be necessary or convenient to administer the provisions of this ordinance and to carry out the purpose and intent hereof.

SECTION 11

TIME LIMITATIONS

11-1. Any limitations based upon or with regard to periods of time provided elsewhere by law or ordinance notwithstanding, only those such limitations set out in this ordinance shall apply to the subject matter hereof.

SECTION 12

SEVERABILITY

12-1. The provisions hereof are and shall be construed to be severable and invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions hereof.

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SECTION 13

PENALTY

13-1. Any person, firm or corporation that sells or leases any lots, tracts or parcels of land in violation of the provisions of this ordinance shall upon conviction thereof be fined not to exceed \$500.00 for each such lot, tract or parcel so sold or leased.

13-2. Any person, firm or corporation that improves or develops a tract of land in violation of the provisions of this ordinance shall upon conviction thereof be fined not to exceed \$500.00.

13-3. Any person, firm or corporation that offers or presents for recording or records with the Recorder of Deeds of Macon County a plat of subdivision in violation of the provisions of this ordinance shall upon conviction thereof be fined not to exceed \$500.00.

13-4. The imposition of the penalties herein prescribed shall not preclude the institution of appropriate actions to prevent, restrain or abate any unlawful subdivision of land.

SECTION 14

REPEALER

14-1. Ordinances numbered 4696, 5194, 5876, 77-03 and 77119, as well as all other ordinances or parts or ordinances in conflict with the provisions hereof, are hereby repealed.

SECTION 15

EFFECTIVE DATE

15-1. This ordinance is to take effect and be in full force on and after July 1, 1980.

PRESENTED, PASSED, APPROVED AND RECORDED this 9th day of June, 1980.

SIGNED: Elmer W. Walton, Mayor

ATTEST: Phyllis E. Sands, City Clerk