VILLAGE OF ANTWERP

SUBDIVISION ORDINANCES

ORDINANCE #94-16

AN ORDINANCE REGULATING THE CONSTRUCTION AND INSTALLATION OF STREETS, SEWERS, WATER MAINS, AND OTHER UTILITIES IN NEW SUB-DIVISIONS IN THE VILLAGE OF ANTWERP, OHIO.

ORDINANCE #94-17

AN ORDINANCE PROVIDING FOR THE REGULATION OF PLATTING AND SUBDIVISION OF LANDS WITHIN ANTWERP, OHIO, TO PROVIDE FOR AND PROMOTE THE HEALTH, SAFETY, AND GENERAL WELFARE OF THE CITIZENS OF THE COMMUNITY.

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ORDINANCE NO. 94-16

WHEREAS, THE COUNCIL OF THE VILLAGE OF ANTWERP, OHIO DEEMS IT NECESSARY IN THE INTEREST OF AND FOR THE PROMOTION OF PUBLIC HEALTH, SAFETY, CONVENIENCE, COMFORT, PROSPERITY AND GENERAL WELFARE OF THE CITIZENS OF THE COMMUNITY, TO ADOPT. AND MAKE EFFECTIVE UNIFORM REGULATIONS RELATING TO THE INSTALLATION OF STREETS, SEWERS, WATER MAINS AND OTHER UTILITIES IN NEW SUB-DIVISIONS OR ADDITIONS WITHIN ANTWERP. OHIO NOW THEREFORE:

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ANTWERP, STATE OF OHIO:

SECTION 1 - APPROVAL CONTINGENCY

That approval and acceptance of plats for new sub-divisions by the Planning Commission and the Village Council of Antwerp, Ohio, shall be contingent upon the installation of the streets, sewers, water mains, fire hydrants, and incidental utilities as hereafter provided.

SECTION 2 - RESPONSIBILITY FOR INSTALLATION

That installation of such streets, sewers, water mains, fire hydrants, and miscellaneous utilities shall be by and at the expense of the developer as provided herein.

SECTION 3 - PUBLIC WATER SUPPLY

- A. All sub-divisions within the corporate limits of the Village of Antwerp shall be provided with water mains connected to the public water supply of the Village of Antwerp.
- B. All water mains shall be installed in accordance with the requirements of the Village of Antwerp Water Department, governing size of mains; location, size and number of hydrants and valves; type and kind of materials and other details of construction. This requirement shall be in addition to, and not in lieu of, the other provisions of this Ordinance.
- C. Prior to submission to the Council or the Village Engineer, plans for the installation of water mains shall be submitted and approved by the Village of Antwerp Water Department.

SECTION 4 - STREETS AND CURBS

- A. Dimensions and Layout Standards:
- (1) The minimum right-of-way widths shall be as established in the sub-division regulations.
 - (2) The minimum grade of any street shall be 0.25 percent.
 - (3) The minimum requirement for all horizontal alignment shall be a ten (10) degree curve for main thorofares and primary streets and a twenty (20) degree curve for all others.

(4) The grading of the right-of-way shall meet the minimum crown, slope, depths and cross sections established by the applicable standards of the Village of Antwerp

B. Pavement Widths:

(1) The minimum widths of the pavements shall be as follows:

Main Thorofares	48'
Primary Streets	36'
Secondary Streets	36'
Minor Streets	24'
Crosswalkways	6'
Sidewalks	3'

C. Curbs:

(1) Curbs shall be constructed on main thorofares, primary and secondary streets.

D. Construction Requirements:

- (1) The minimum requirements for pavement shall be:
 - A. The Pavement shall include a depth of eight (8) inches of Item 304, Aggregate Base Material.
 - B. The pavement shall include a minimum depth of one and one-half (1-1/2) inches of Item 402, Asphalt Concrete Leveling Course.
 - C. The pavement shall include a minimum depth of one and one-half (1-1/2) inches of Item 404, Asphalt Concrete Surface Course.
 - D. The pavement shall include a prime coat of at least on half (1/2) gallon per square yard.
 - E. All necessary tile drainage, inlets, and surface ditches shall have been installed to adequately drain the street of right of way. The above "Item Numbers" are from the Ohio Department of Transportation Standards as listed in the "Paulding County Subdivision Rules and Regulations.

E. Specifications:

(1) Construction shall be in accordance with the specifications of the Village of Antwerp, Ohio for the items of construction required. F. Street Names:(1) The naming of streets and their classes as streets, avenues, or courts shall conform to the Village's adopted system of street naming as presently or in the future adopted.

SECTION 5 - SANITARY SEWERS

A. General Requirements:

(1) Sanitary sewers shall be provided for any sub-divisions located within the Village of Antwerp. Such sanitary sewers shall be designed and installed so as to serve adequately each lot in the sub-division.

B. Design Standards:

- (1) The design of sanitary sewers shall be based on the design standards of the Village of Antwerp, Ohio.
- (2) Materials and details of construction shall be as established by the design standards and standard specifications of the Village of Antwerp, Ohio.

C Construction:

(1) Construction shall be in accordance with the standard specifications of the Village of Antwerp, Ohio.

SECTION 6 - STORM SEWERS AND STRUCTURES

- A. Where there is a reasonable accessibility to an existing storm sewer, then storm sewers of a size adequate to entirely serve the entire sub-division shall be installed by the sub-divider.
- B. Where there is not reasonable accessibility to an existing storm sewer then the sub-divider shall provide as a minimum requirement, sufficient storm sewers, catch basins and miscellaneous structures to provide adequate street drainage for the sub-division.
- C. All storm sewers, catch basins, manholes and structures shall be of the size, type and of the materials as specified by the Village of Antwerp and the E.P.A.. Design shall be in accordance with the standards established by the Village of Antwerp and the E.P.A., and construction shall be in accordance with the standard specifications of the Village of Antwerp.

SECTION 7 - SIDEWALKS

A. Sidewalks shall be a minimum of Three (3) feet in width, and shall be placed in front of, on the side of, or in the rear of those lots on which the Council decide they should be constructed at the time of the platting of the sub-division. All sidewalks shall be constructed in accordance with the standards, specifications and requirements established by the standard specifications of the Village of Antwerp.

SECTION 8 - GAS, TELEPHONE AND ELECTRIC UTILITIES

A. All utilities shall be placed before any pavement is constructed in the proposed streets, unless written approval is obtained from the Village Administrator to construct the pavement prior to such installation. Such written approval shall contain the conditions under which such pavement construction is to be permitted.

SECTION 9 - SPECIFICATIONS AND DESIGN STANDARDS

- A. Where the standard specifications of the Village of Antwerp are referred to, they shall mean the most recent standard specifications as adopted by the Village of Antwerp and on file in the office of the Village Clerk.
- B. In those cases where standard specifications have not been adopted, then the specifications applying to the most recent contract work performed for the Village of Antwerp, Ohio, covering the same, or closely similar types of construction, shall govern.
- C. Design standards shall be the most recent standards of design as adopted by the Village of Antwerp and on file in the office of the Village Clerk.

SECTION 10 - PLAN SUBMITTAL AND APPROVAL

A. Two copies of a preliminary layout and description of all proposed street construction, water main installations, storm and sanitary sewer installations, and any other items of constructions scheduled for the proposed sub division shall be submitted at the time the preliminary plat is submitted to the Council. The preliminary layout need not be a completed final drawing. It may be submitted on a print of the preliminary plat.

- B. Prior to the starting of any construction of streets, sewers, or other items of construction, two copies of complete detailed construction plans prepared by a registered professional engineer shall be submitted to the Council. Such plans shall be submitted for approval before the actual beginning of any construction. No construction shall be started until the plans have been approved by the Council or by the Village Engineer in those cases where the Council directs, at the time of approval of the preliminary layout, that the construction plans be examined and approved by the Village Engineer.
- C. The Village of Antwerp. Ohio reserves the right to make changes in preliminary layouts or detailed construction plans to insure conformity with established standards.
- D After the completion of construction, one complete set of construction plans, marked "As Constructed" plans shall be filed in the office of the Village Clerk. Such "As Constructed" plans shall note any changes made during the course of construction from the plans submitted in accordance with Paragraph B, above. The Engineer who made the plans shall certify that the changes shown have actually been made and are accurately described and located.

SECTION 11 - BOND FOR IMPROVEMENTS

A. In lieu of the completion of the improvements as required, prior to the approval of the dedication plat, the developer shall give a full construction performance bond, executed by a surety or sureties, satisfactory to the fiscal officers of the Village or a certified check, guaranteeing the completion of the improvements within six (6) months or a reasonable period of time as fixed by the Planning Commission and Council. This bond or check shall be in an amount equal to the cost of completing the improvements as estimated by the Village Engineer. If not completed as agreed upon, the bond shall be forfeited, the money collected and the money shall be used only to complete said specified utilities. The money collected shall be used for no other purpose. Any funds remaining after completion of the work shall be returned to the original depositor or surety company.

SECTION 12 - PASSAGE OF ORDINANCE AND CONDITIONS

This Ordinance shall take effect and be in force from and after its passage and thereupon all legislative enactments and parts thereof, heretofore enacted by the Council of the Village of Antwerp, Ohio, dealing with the construction and installation of streets, sewers, water mains and other utilities in new sub-divisions within the Village of Antwerp, Ohio, shall be and the same are hereby repealed. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: JANUARY 9, 1995 Mayor: LOUISE MILLER

ATTEST: JANICE A. REEB, Clerk

ORDINANCE NO. 94-17

WHEREAS, THE COUNCIL OF THE VILLAGE OF ANTWERP, OIHO, DEEMS IT NECESSARY IN THE INTEREST OF AND FOR THE PROMOTION OF THE PUBLIC HEALTH, SAFETY, CONVENIENCE, COMFORT, PROSPERITY AND GENERAL WELFARE OF THE CITIZENS OF THE COMMUNITY TO ADOPT AND MAKE EFFECTIVE A UNIFORM PLAN RELATION TO . THE FLATTING AND SUB-DIVISION OF LAND WITHIN ANTWERP, OHIO, NOW THEREFORE:

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ANTWERP, STATE OF ONIO:

WHEREAS, The Council of the Village of Antwerp, Ohio, deems it necessary in the interest of and for the promotion of the public health, safety, convenience, comfort, prosperity and general welfare of the citizens of the community to adopt and make effective a uniform plan relation to the platting and sub-division of land within Antwerp, Ohio, now therefore: BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ANTWERP, STATE OF OHIO:

SECTION 1. - DEFINITIONS

- A. ALLEY: A strip of land, dedicated to public use, less than twenty-one (21) feet between property lines which provides access to adjacent properties.
- B. CROSSWALKWAY: A right-of-way, dedicated to public use, ten (10) feet or more in width, which cuts across a block to facilitate pedestrian access to adjacent streets and properties.
- C. CUL-DE-SAC: (Court) a short street having one end open to troffic and being permanently terminated by a vehicle turnaround.

- D. EASEMENT: An easement is the right to use lands of another for a specific purpose.
- E. IMPROVEMENTS: Any addition to the natural state of land which increases its value or utility, including pavements, curbs, sidewalks, gutters, crosswalkways, water mains, sanitary and storm sewers, street trees and other appropriate items.
- F. LOT: A portion of a sub-division, or other parcel of land intended as a unit for transfer of ownership or for development.
- G. STREET: A right-of-way, dedicated or deeded for public use, which provides for vehicular and pedestrian traffic.
- H. MAIN THOROFARE: A street or road of great continuity which serves or is intended to serve as a major traffic-way within the Village, County or both.
- I. PRIMARY STREET: A street or road of considerable continuity which serves or is intended to serve as the principal trafficway between large and separated areas or districts and which is the main means of access to the main thorofare system.
- J. SECONDARY STREET: A main residential street which carries the burden of local traffic to Primary Streets.
- K. MINOR STREET: A street supplementary to a Secondary Street and of limited continuity which serves or is intended to serve the local need of a neighborhood.
- L. SUB-DIVISION: 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 (5) 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 (5) 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 the improvement of one or more parcels of land for residential, commercial or industrial structures or groups of structures involving the division or allocation of land for the opening, widening or extension of any street or streets, except private streets serving industrial structures; the division or allocation of land as open spaces for common use by owners, occupants or lease holders or as easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities.
- M. SUPERBLOCK: A block of exceptionally large size in both dimensions with access to interior lots by cul-de-sacs branching in from surrounding streets and providing one or more open spaces.

SECTION 2 - SUB-DIVISION REQUIREMENTS

A. Principles of Acceptability

- (1) If a tentative or suggested plan or plat of the area has been made by the Planning Commission and/or the Council, the street layout shall be in general Conformance thereto.
- (2) The sub-division proposed and its ultimate use shall be in the best interests of the public welfare and the neighborhood development of the area. The sub-divider shall present evidence to this effect when requested by the Planning Commission and Council.

- (3) Insofar as practical, all streets shall be coterminous with existing or platted streets on adjoining property.
- (4) Should there be along the adjoining boundary line of another plat a one-half street or alley, transferred or dedicated and recorded, the other half of such street or alley must be dedicated on the proposed plat to make it complete.
- (5) If it is proposed to dedicate a one-half street along the boundary of the plat, adjacent to acreage property, a one foot buffer strip, conditionally dedicated shall be placed between the proposed one half street and the adjacent acreage property. A one foot buffer strip, conditionally dedicated, shall be located at the end of each dead end street.
- (6) Where railroads are involved, provision for grade separations, buffer strip and other protective media shall be required to the extent and type as may be practicable.
- (7) Variations and exceptions from the dimensional standards and improvement requirements as set forth in these regulations may be made by the Planning Commission and Council in cases where it is deemed that hardship, topography or other factual deterrent conditions prevail.

B. Dimensions and Layout

(1) Streets, Alleys and Sidewalks-Minimum Right-of-Way:

a. Main Thorofare b. Primary Streets c. Secondary Streets d. Minor Streets e. Cul-de-sacs and Loop Streets f. Alleys g. Crosswalkways h. Easements i. Cul-de-sacs (Courts)	100' 80' 60' 10' 16' Overall (8' on each side of property line.)
 i. Cul-de-sacs (Courts) (1) The maximum length shall be (2) The terminal shall be a circular area with a minimum diameter of 100'. 	600'

(2) Blocks:

- a. The maximum length of blocks shall generally be of One Thousand Three Hundred and Twenty (1000) feet and those over Nine Hundred (900) feet will require a crosswalkway at approximately the center, and any deviations from these figures are subject to Council Approval.
- b. The width of blocks shall generally be sufficient to allow two tiers of lots.
- c. Irregular shaped blocks (including super-blocks), indented by Cul-de-sacs, containing interior public spaces, will be acceptable when adequately designed and fitted to the overall plan and when adequate provision for the maintenance of public areas is allowed for.
- d. Blocks intended for business and industrial use, shall be designated specifically for such purposes with adequate space set aside for parking and delivery facilities.

e. Where frontage is on a primary or secondary street, the long dimension of the block should front thereon.

(3) Lots:

- a. The minimum width shall be Fifty (50) feet at the building line.
- b. The minimum depth shall be One Hundred Thirty (130) feet at any point.
- c. All lots shall abut on a street.
- d. Corner lots shall have extra width sufficient for maintenance of building lines on both sides.
- e. Side lines of lots shall be approximately right angles or radial to the street line.
- f. A minimum front building line of forty (40) feet shall be established.
- g. A minimum side building line of fifteen (15) feet shall be established on sides of lots whose sides abut a highway or street.
- h. The numbering of lots shall conform to the Village's or County's adopted lot numbering system.
- (4) Street Trees: Street trees may be provided and must be placed outside the street right-of-way.

(5) Public Spaces:

- a. The council shall specify to the extent required the allocation of play fields, parks, and other public open spaces that may be essential to a proper development of the area or neighborhood. A maximum of 3 (3) percent of the Sub-Division shall be required for this purpose.
- a. Due regard shall be shown for the preservation of outstanding natural and cultural features such as scenic spots.

C. Improvements

- 1. Streets, sewers, wafer mains, other utilities and other improvements shall be installed in accordance with the requirements of Ordinance No. 505 entitled, "An Ordinance Regulating the Construction and Installation of Streets, Sewers, Water Mains and Other Utilities in a New Sub-Division in the Village of Antwerp, Ohio."
- 2. Approval of the final plat is contingent on evidence that the improvements as required have been made, and/or necessary bonds and fees have been deposited to guarantee that the improvements will be made, as provided herein.

SECTION 3 - DOCUMENTS REQUIRED

A-THE FRELIMINARY PLAT

1. Filing:

- a. Three (3) copies of a preliminary plat of the proposed sub-division shall be submitted to the Planning Commission and Council, accompanied by one (1) key map.
- These copies shall be officially filed with the Village Clerk at least Ten (10) days prior to the regular meeting of the Council in order to receive action at that meeting.
- c. The preliminary plat need not be a finished drawing for record purposes, but shall be legible, drawn to scale, and contain the information required by this Ordinance.
- 2. The Preliminary Plat Shall Contain the Following:

Identification and Description

- a. Proposed name of the sub-division.
- b. Location by section, town and range, and City or Township, or by other legal description.
- c. Names, addresses of owner, developer and licensed land Surveyor, or other person, who made the plat.
- d. Scale of plat, one (1) inch to not more than One Hundred (100) feet.
- e. Date.
- f. Northpoint.

Delineation of Existing Conditions

- g. Boundary line of the proposed sub-division indicated by solid heavy lines and the total approximate acreage encompassed thereby.
- h. Location, widths and names of all existing or prior platted streets or other public ways, railroad and utility rights-of-way, parks and other public open spaces, permanent buildings and structures and section and corporation lines, within or adjacent to the tract.
- Existing sewers, water mains, culverts or other underground facilities within or adjacent to the tract, indicating pipe size, grades and exact location, as obtained from public records.
- j. Boundary lines of adjacent tracts of un-subdivided lands with the names of the owners thereof, and boundary lines of adjacent sub-divided lands shall be shown but the names of the owners shall not be required.

Delineation of Proposed Conditions

- Layout of streets, their names and widths, and also the widths of alleys, Q crosswalkways and easements.
- I. Layout, numbers and dimensions of lots.
- m. Parcels of land intended to be dedicated or temporarily reserved for public use or set aside by deed covenant for use of all property owners in the sub-division.
- n. Building set-back lines, with dimensions.
- 3. The Key Map Shall Consist Of:
 - a. A print of the appropriate tax map, or its equivalent, at a scale of not less than One
 (1) inch equals Four Hundred (400) feet, with the boundaries indicated thereon, and covering the area within a half-mile radius thereof.
- 4. The Following Qualifications Shall Govern Approval of the Preliminary Plat:
 - a. The approval of a preliminary plat by the Planning Commission and Council is tentative, involving the acceptability of the layout as submitted.
 - The Planning Commission and or Council on further evidence may introduce such changes or revisions as are deemed necessary to the interests and needs of the community.
 - c. The preliminary approval of the plat is subject to all established utility and street or highway regulation.
 - d. All improvement plans must be prepared by a registered professional engineer and the same must be filed with, and approved by The Planning Commission and the Council or the Village Engineer in the Event that Council or Planning Commission directs the Village Engineer to examine and approve the said plans.
 - e. Tentative approval shall be effective for a maximum period of Twelve (12) months, unless, within that time and upon the application of the developer, the Planning Commission or Council grants an extension.
 - f. The Council or Planning Commission may, if it deems necessary after examining the preliminary plat as submitted, require additional information from the developer including, but not restricted to, contours at intervals as specified, elevations of existing sewers or other utilities and such other information as may be required, in its judgment, to provide a basis for acting on the preliminary plat as submitted.

B. THE FINAL PLAT

Filing:

- a. After approval of the preliminary plat by the Planning Commission and Council, and the fulfillment of the requirements of these regulations and any other requirements specified by the Planning Commission or Council, the Two (2) prints of the final plat of the sub-division shall be submitted to the Planning Commission and Council of the Village of Antwerp for approval.
- b. The final plat shall be prepared by a licensed land surveyor.
- c. Action will ordinarily be taken by the Council within thirty (30) days after submission
 of the plat.
- d. Upon approval by the Council and acceptance of the street dedications by the Council, the prints shall be deposited with the Village Clerk, together with the necessary moneys to pay the cost of recording the same; and thereupon the Clerk shall cause said plat to be recorded in the office of the Recorder of Paulding County, Ohio, at the expense of the developer.
- e. One (1) print of the final plat, after it has been recorded, will be filed and retained in the office of the Village Clerk and shall become and remain the property of Antwerp, Ohio.
- 2. The Final Plat Shall Contain The Following:
 - a. Name of sub-division.
 - b. Location by section, town and range, and City or Township or by other legal description.
 - c. Names of owners and licensed land surveyor.
 - d. Scale One (1) inch to not more than One Hundred (100) feet shown graphically.
 - e. Date.
 - f. Northpoint.
 - g. Boundary of plat based on an accurate traverse, with angular and lineal dimensions and bearings.
 - h. Exact location, width, and names of all streets within and adjoining the plat, and the exact location and widths of all alleys and crosswalkways, The name of a street shall not duplicate that of any existing street in the Village.
 - Municipal, township, county, grants, tracts or section lines accurately tied to the lines of the sub-division by distances and angles.
 - i. Radii, internal angles, points of curvature, tangent bearings and lengths of all arcs.
 - k. All easements for rights-of-way provided for public services or utilities.
 - I. All lot numbers and lines, with accurate dimensions in feet and hundredths.

- m. All lot corners shall be accurately staked with hardwood stakes at least 1 1/2" x 1 1/2" x 10" or 3/4' x 10" iron pipe.
- n. Accurate location of all monuments, which shall be concrete 6" x 6" x 30", with iron rod in center, or iron pipe, at least 3/4" in diameter and 36" long. One such monument shall be places at each corner and at each change in direction of the boundary; and one such monument shall also be placed at each street intersection and at the beginning and end of curves, on one side of the street.
- Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, with the purpose indicated thereon, and of any area to be reserved by deed covenant for common uses of all property owners.
- .p. Building set-back lines accurately shown with dimensions.
- q. Protective covenants or private restrictions shall be recorded and the same noted on the final plat. A copy of such protective covenants or private restrictions shall accompany the final Plat.
- r. Certification by the licensed land surveyor to the effect that the plat represents a survey made by him, that the monuments shown thereon exist as located, that all dimensional and geodetic details re correct and that stakes as described in b.2.m. have been placed at all corners of lots and the change in direction of any line except where concrete monuments have been placed.
- s. Notarized certification, by the owner or owners, of the adoption of the plat and the dedication of streets and other public areas.
- Approval by signature of Village officials concerned with the specifications and inspection of utility installations and improvements.
- Certification by County Auditor that there are no unpaid taxes on the property involved.
- v. Acceptance by the Council of the Village of Antwerp, Ohio.
- w. Certification by County Recorder that the plat has been recorded.

SECTION IV - EXCEPTIONS

Notwithstanding other provisions of the Ordinance the Council may, when it deems it advisable in the best interest of the public, waive any or all provisions of this Ordinance here a new sub-division contains less than Ten (10) lots abutting on an existing, platted street and does not involve or require any new streets or the installation of any utilities or other improvements.

SECTION V - VALIDITY

Each section and part thereof of the Ordinance is hereby declared to be a separate and distinct enactment, and should any section or part hereof of this Ordinance be found or declared to be

ineffective or invalid for any reason whatsoever, the other section and parts thereof shall not thereby be impaired.

SECTION VI - ADOPTION BY COUNCIL

This Ordinance shall take effect and be in force from and after its passage and thereupon all legislative enactments and parts thereof, heretofore enacted by the Council of the Village of Antwerp, Ohio, dealing with the sub-division and allotment of lands within Antwerp, Ohio, shall be and the same are hereby repealed.

Passed: JANUARY 9, 1995

Mayor: LOUISE MILLER

Attest: JANICE A. REEB, Clerk