

**VILLAGE OF YELLOW SPRINGS, OHIO  
ORDINANCE 2018-46**

**REPEALING SECTION 1226.13 “SUBDIVISION FEES” OF THE CODIFIED  
ORDINANCES OF THE VILLAGE OF YELLOW SPRINGS, OHIO AND ADOPTING  
NEW SECTION 1226.13 “SUBDIVISION FEES”**

**Whereas**, Codified Ordinance Section 1226.13 of the Village of Yellow Springs, Ohio establishes the requisite fees for subdivisions in the Village; and

**Whereas**, the Village Council has determined that it would be in the best interest of the Village to adopt a new Section 1226.13 entitled “Subdivision Fees” of the Codified Ordinances of the Village of Yellow Springs, Ohio to include fees for minor subdivisions and replats when Planning Commission approval is required.

**NOW, THEREFORE, COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO  
HEREBY ORDAINS THAT:**

**Section 1.** Section 1226.13 entitled “Subdivision Fees” of the Codified Ordinances of the Village of Yellow Springs, Ohio be repealed.

**Section 2.** A new Section 1226.13 entitled “Subdivision Fees” of the Codified Ordinances of the Village of Yellow Springs, Ohio be enacted to read as set forth on Exhibit A, which is attached hereto and incorporated herein by reference, with the new language underlined and **bolded**.

**Section 3.** This ordinance shall take effect and be in full force at the earliest date permitted by law.

\_\_\_\_\_  
Brian Housh, President of Council

Passed: 11-5-2018

Attest: \_\_\_\_\_  
Judy Kintner, Clerk of Council

**ROLL CALL**

Brian Housh \_\_Y\_\_    Marianne MacQueen \_\_Y\_\_    Judith Hempfling \_\_Y\_\_

Kevin Stokes \_\_Y\_\_    Lisa Kreeger \_\_Y\_\_

## EXHIBIT A

### 1226.13 SUBDIVISION FEES.

(a) Preliminary Plats. Concurrently, upon submission of any preliminary plat for Village review, the developer or his or her agent shall make payment for review services in the amount of two hundred dollars (\$200.00). Such fee is nonrefundable and is applicable to each preliminary plat upon which specific action to approve or disapprove is taken by the Planning Commission. Resubmission of a previously disapproved preliminary plat shall require another payment of the fee provided for herein.

(b) Final Plats.

(1) Concurrently, upon submission of any final plat for Village review, the developer or his or her agent shall make payment for review services in the amount of one hundred dollars (\$100.00) and, in addition, shall pay for review services of twenty dollars (\$20.00) for each developable lot.

Such fees are nonrefundable and are applicable to each final plat upon which specific action to approve or disapprove is taken by the Planning Commission. Resubmission of a previously disapproved final plat shall require another payment of the fees provided for herein.

(2) Before final approval signatures are placed upon a final record plat, the developer or his or her agent shall deposit with the Village an amount of money to be used to defray the cost of inspection, review and legal services borne by the Village and directly attributable to the development. This sum shall normally be equal to four percent of the approved estimate of construction costs for bonding purposes. Upon acceptance of public improvements by the Village, this four percent fund shall be adjusted in accordance with actual expenditures for review and inspection services. If the money deposited exceeds the cost incurred by the Village, the balance shall be returned to the developer; alternatively, if costs incurred by the Village exceed the four percent deposit, additional money shall be paid by the developer before improvements are accepted.

(c) Minor Subdivisions. Before approval of any minor subdivision, the developer or his or her agent shall make payment for review services in the amount of fifty dollars (\$50.00), for each new lot created (the residual of the original parcel shall be excluded). **If the minor subdivision requires Planning Commission approval, a payment in the amount of one hundred dollars (\$100.00) shall additionally be required.**

(d) Replats. Before approval of any replat, the developer or his or her agent shall make payment for review services in the amount of ~~ten~~ **twenty five** dollars (\$~~40~~ **25**). **If the replat requires Planning Commission approval, a payment in the amount of one hundred dollars (\$100.00) shall additionally be required.**