

## **Title 18**

### **SUBDIVISIONS**

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## Chapter 18.04

### DEFINITIONS

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**18.04.010 Generally.**

The terms used in this title shall have the respective meanings set forth in this chapter.

**18.04.020 Alley.**

“Alley” means a public way which affords a secondary means of access to abutting property.

**18.04.030 Bench mark.**

“Bench mark” means a mark affixed to a permanent or semi-permanent object along a line of survey to furnish a datum level.

**18.04.040 Building setback line.**

“Building setback line” means a line within a lot or other parcel of land, so designated on the plat of the proposed subdivision, between which line and the adjacent boundary of the street upon which the lot abuts, the erection of main structure or portion thereof is prohibited.

**18.04.050 Collector street.**

“Collector street” means a street which carries traffic from minor streets to the major street system, including the principal entrance streets of residential development and the primary circulating streets within such a development.

**18.04.060 Council**

“Council,” unless otherwise clearly indicated, means the city council for the city.

**18.04.070 Cul-de-sac.**

“Cul-de-sac” means a minor street having one open end and being terminated at the other by a vehicular turnaround.

**18.04.080 Dwelling.**

“Dwelling” means any building or structure, or portion thereof, intended for residential use.

**18.04.090 Easement.**

“Easement” means the quantity of land set aside or over which a liberty, privilege or advantage in land without profit, existing distinct from the ownership of the land, is granted to the public or some particular person or part of the public.

**18.04.100 Final plat.**

“Final plat” means a map or chart of a subdivision which has been accurately surveyed, and such survey marked on the ground so that streets, alleys, blocks, lots and other divisions thereof can be identified.

**18.04.105 Health Department.**

"Health department" means the Salt Lake City-County health department.

**18.04.110 Lot.**

"Lot" means a portion of a subdivision or parcel of land intended as a unit for building development or transfer of ownership.

**18.04.120 Lot width.**

"Lot width" means the width of the lot measured along the minimum building setback line.

**18.04.130 Major street.**

"Major street" means a street, existing or proposed, which serves or is intended to serve as a major traffic way and which is designated on the master street plan as a controlled-access highway, major street, parkway or by equivalent terms suitable to identify streets comprising the basic structure of the street plan.

**18.04.140 Marginal access street.**

"Marginal access street" means a minor street which is parallel to and adjacent to a major street and which provides access to abutting properties and protection from through traffic.

**18.04.150 Master street plan.**

"Master street plan" means a plan, labeled "Master Street Plan of Herriman" including maps or reports or both, which has been approved by the planning commission as required by law.

**18.04.160 Minor street.**

"Minor street" means a street, existing or proposed, which is supplementary to a collector or major street and of limited continuity, which serves or is intended to serve the local needs of a neighborhood.

**18.04.170 Official map.**

"Official map" means any map adopted by the city council under the provisions of *Utah Code Ann.* § 10-9-8.

**18.04.180 Owner.**

"Owner" includes the plural as well as the singular, and may mean either a natural person, firm, association, partnership, private corporation, public or quasi-public corporation, or any combination thereof.

**18.04.190 Parcel of land.**

"Parcel of land" means a contiguous quantity of land, in the possession of, or owned by, or recorded as the property of the same claimant or person.

**18.04.200 Planning commission.**

"Planning commission" means the city planning commission, unless another planning commission is specifically named.

**18.04.210 Preliminary approval.**

"Preliminary approval" means an approval, with or without recommended alterations, given to a preliminary plat by the planning commission and provides the necessary authority to proceed with the preparation and presentation of the final plat.

**18.04.220 Preliminary plat.**

"Preliminary plat" means a map or plan of a proposed land division or subdivision.

**18.04.230 Subdivision.**

"Subdivision" means any land that is divided, re-subdivided or proposed to be divided into two or more lots, parcels, sites, units, plots or other division of land for the purpose, whether immediate or future, for offer, sale, lease or development either on the installment plan or upon any and all other plans, terms and conditions. Subdivision includes:

A. The division or development of land whether by deed, metes and bounds descrip-

tion, devise and testacy, lease, map plat or other recorded instrument; and

B. Divisions of land for all residential and non-residential uses, including land used or to be used for commercial, agricultural and industrial.

This definition shall not apply to the sale or conveyance of any parcel of land which may be shown as one of the lots of a subdivision of which a plat has theretofore been recorded in the office of the county recorder. The word "subdivide" and any derivative thereof shall have reference to the term subdivision as defined in this section.

#### **18.04.240 Trails.**

"Trails" means a system of public recreational pathways located within the city for use by the public for walking, biking and/or horseback riding as designated.

### **Chapter 18.08**

#### **GENERAL REGULATIONS**

##### **Sections:**

**18.08.010 Procedure generally.**

**18.08.015 Compliance with City General Plan.**

**18.08.020 Exceptions—Permitted when.**

**18.08.030 Exceptions—Final plat.**

**18.08.035 Approval of Covenants and Deed Restrictions.**

**18.08.040 Residential building only.**

**18.08.050 Appeals.**

**18.08.010 Procedure generally.**

Before subdividing any tract or lot or parcel of land into two or more lots, a subdivider shall:

A. Prior to or coincident with the submission of the preliminary plat, file with the planning commission a completed subdivision information form or forms to be furnished by the planning commission;

B. File with the planning commission for examination and subsequent action prints of the preliminary plat prepared in conformance with the provisions of this title. Prints shall be filed at least 21 days prior to the planning commission public hearing at which the plat is to be considered, and shall be accompanied by a filing fee;

C. Within two years after receiving approval of the preliminary plat by the planning commission, submit the original and one copy of the final plat to the city council for final approval or disapproval, as the case may be. The planning commission may grant a one-year extension of such time period if the request for extension is received prior to the expiration date. In approving any extension, the planning commission may review and modify or amend the original approval conditions and requirements;

D. Present, after receiving final approval by the planning commission, the original of the final plat to the city for review by the city engineer;

E. The water supply and sewage disposal shall have been approved by the health department;

F. The city engineer will submit the final plat to the city council for action after approval from the city attorney; and

G. After obtaining final approval from the city council the final plat bearing all official approvals as required in this title must be recorded with the county recorder at the expense of the subdivider. Approval of the final plat by the city council shall be void if the plat is not recorded within two years after the date of approval, unless application for an extension of time is made in writing to the planning commission and granted during the one-year period.

**18.08.015 Compliance with City General Plan.**

The lot layout, which includes the size, placement and number of lots, and street de-

sign for the subdivision that is submitted to the City for action must comply with the intent and purpose of the General Plan adopted by the City.

**18.08.020 Exceptions—Permitted when.**

In cases where unusual topographic, aesthetic or other exceptional conditions exist or the welfare, best interests and safety of the general public will be usefully served or protected, variations and exceptions of this title may be made by the city council after the recommendation of the planning commission, provided, that such variations and exceptions may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this title.

**18.08.035 Approval of Covenants and Deed Restrictions.**

The planning commission shall review and approve the covenants and deed restrictions for all subdivisions of two lots or more. The approval may include, but not be limited to, minimum building size and type of building materials.

**18.08.040 Residential building only.**

Except for planned unit developments and dwelling groups allowed in the zoning ordinance, not more than one main dwelling structure shall occupy any one lot.

**18.08.050 Appeals.**

A. Any person shall have the right to appeal to the city council any decision rendered by the planning commission under this chapter by filing a letter, stating the reasons for appeal, with the city council within ten days after the planning commission decision. After receiving the appeal, the city council may affirm the planning commission decision, remand the matter to the planning commission for further consideration, or set a date for a hearing.

B. The city council, after hearing an ap-

peal, may affirm, reverse, alter or remand for further review and consideration, the decision of the planning commission.

**Chapter 18.12**

**PRELIMINARY PLAT**

**Sections:**

**18.12.010 Required information.**

**18.12.020 Appraisal of interested parties.**

**18.12.030 Planning commission approval or disapproval.**

**18.12.010 Required information.**

A. The preliminary plat, drawn to scale (generally 1" = 20' or 1" = 30'), shall contain the information specified in this section and comply with the following requirements:

1. Description and Delineation. In a title block located in the lower right-hand corner the following shall appear:

a. The proposed name of the subdivision, which name must be approved by the city engineer;

b. The location of the subdivision, including:

i. Address, and

ii. Section, township and range;

c. The names and addresses of the owner, the subdivider, if different than the owner, and of the designer of the subdivision;

d. The date of preparation, scale and the north point.

2. Existing Conditions. The plat shall show:

a. The boundary lines of the proposed subdivision indicated by a solid heavy line and the total approximate acreage encompassed thereby;

b. All property under the control of the subdivider, even though only a portion is being subdivided. Where the plat submitted covers only a part of the subdivider's tract, a sketch of the prospective street system of the

unplatted parts of the subdivider's land shall be submitted, and the street system of the part submitted shall be considered in the light of existing master street plans or other planning commission studies;

c. All existing streets, other public ways, areas reserved for public purposes, parks and other public open spaces on or adjacent to the proposed subdivision;

d. The location of existing permanent buildings and structures on or within 50 feet of the proposed subdivision;

e. Existing rights-of-ways and grants of record for underground facilities including, but not limited to, sewers, water mains, culverts or other underground facilities within the tract and to a distance of at least 100 feet beyond the tract boundaries, indicating pipe sizes, grades, manholes and exact location;

f. Existing ditches, canals, natural drainage channels, and open waterways and proposed realignments;

g. Boundary lines of adjacent tracts of unsubdivided land; and

h. Contour at vertical intervals of not more than two feet. The 100 year flood level of all watercourses, if any, shall be indicated in the same datum for contour elevations.

3. Proposed Subdivision Plan. The proposed subdivision plan shall show:

a. The layout of streets, showing location, widths and other dimensions of (designated by actual or proposed names and numbers) proposed streets, crosswalks, alleys, easements and street lights;

b. The layout, numbers and typical dimensions of lots;

c. Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in the subdivision;

d. Building minimum setback lines; and

e. Easements for water, sewers, drainage, utility lines and other purposes, if required by the planning commission.

B. Where required, evidence of any

agreements with adjacent property owners relative to the subdivision development shall be presented to the city engineer in writing prior to its approval of the plat. These agreements shall include those relative to drainage, easements, protection strips, utilities, improvement bonds, etc.

#### **18.12.020 Appraisal of interested parties.**

The planning commission may withhold approval for 18 months of a preliminary plat submitted for the division of property, a part or all of which is deemed suitable by the planning commission for schools, parks, playgrounds, streets, highways or other areas for public use, after apprising the proper agencies in writing of the property owner's intent to subdivide. If any such areas proposed for public use have not been freely dedicated to the public by the owner or have not been purchased at a fair price by the proper agency within one year from the date of notification, such areas may be divided into lots and sold in accordance with the provisions of this title.

#### **18.12.030 Planning commission approval or disapproval.**

Following a review of the preliminary plat by the planning commission, the city engineer and other interested city departments, the planning commission shall act on the plat as submitted or modified. The planning commission shall not act upon any preliminary plat unless written approval has been received from the city engineer and such other concerned agencies, including, but not limited to agencies and departments of city government, as the planning commission shall from time to time require. If the plat is approved, the planning commission shall express its written approval with whatever conditions reattached, by returning one copy of the preliminary plat, signed by the city engineer or his designated representative, to the subdivider. One other signed copy shall be given to the city engineer, one copy shall be retained by the plan-

ning commission and one other copy of the approved plat returned to the developer's engineer. If the preliminary plat is disapproved, the planning commission shall indicate its disapproval in writing and give reasons for such disapproval by means of signed copies. The receipt of a signed copy of the approved preliminary plat shall be authorization for the subdivider to proceed with the preparation of specifications for the minimum improvements required in chapter 18.24 of this title and with the preparation of the final plat.

## **Chapter 18.16**

### **FINAL PLAT**

#### **Sections:**

#### **18.16.010 Required information.**

#### **18.16.020 Private streets.**

#### **18.16.010 Required information.**

The final plat, shall be prepared by a licensed land surveyor on a sheet of approved tracing linen and made with approved waterproof black ink, shall be so drawn that the top of the sheet faces north, shall contain all information required on the preliminary plat (except contours), and shall comply with the following:

A. Description and Delineation. The final plat shall show:

1. The approved name of the subdivision;
2. Accurate angular and lineal dimensions for all lines, angles and curves used to describe boundaries, streets, alleys, easements, areas to be reserved for public use and other important features. Boundary lines shall be drawn heavier than street and lot lines;
3. The number, temporary address and length and width of the blocks and lots intended for sale and the names of streets. Lot lines shall show dimensions in feet and hundredths;
4. Radii, internal angles, points and cur-

vatures, tangent bearings and length of all arcs;

5. The accurate location of all monuments, fire hydrants and street lights to be installed shown by the appropriate symbol. All United States, state, county or other official bench marks, monuments or triangulation stations in or adjacent to the property, shall be preserved in precise position;

6. The dedication to the city of all streets, highways and parcels of ground intended for public use included in the proposed subdivision. Street monuments shall be installed by the subdivider's engineer or land surveyor at such points designated on the final plat as are approved by the city engineer. Acceptable precast monuments shall be placed prior to the release of any improvement bond. It is unlawful for any person to install survey monuments having a spatial relationship with any section or quarter section corner without having first obtained from the Salt Lake County Surveyor's office a permit for such installation (UT. CODE. ANN., SECTION 17-23-17). All survey monuments installed shall be in accordance with the permit issued and shall be subject to inspection and approval by the Salt Lake County Surveyor's office. Standard precast monuments will be furnished by the County Surveyor's office.

7. Pipes or other such physical markers as shall be placed at each lot corner;

8. Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, with the purposes indicated thereon, and of any area to be reserved by deed or covenant for common uses of all property owners; and

9. Where it is proposed that streets be constructed on property controlled by a public agent or utility company, approval for the location, improvement and maintenance of such streets shall be obtained from the public agency or utility company and entered on the final plat in a form approved by the city attorney.

B. Standard Forms for the Following. The

final plat shall require:

1. A registered land surveyor's certificate of survey;
2. The owner's certificate of dedication;
3. Owner's acknowledged agreement before an officer authorized by law to take the acknowledgement of conveyances of real property;
4. Owner's or operators of the underground and utility facilities certificate of approval;
5. The city planning commission's certificate of approval;
6. The health department's certificate of approval;
7. The city engineer's certificate of approval;
8. The city attorney's certificate of approval;
9. The city council's certificate of approval; and
10. A one-and-one-half by five-inch space in the lower right-hand corner of the drawing for the county recorder's use.

The applicant shall submit a computer file of the plat. The file must be compatible with the city's autocad mapping system.

#### **18.16.020 Private streets.**

Whenever a subdivision is approved with private streets, the final subdivision plat shall include a statement that no city maintenance is provided on the private streets.

## **Chapter 18.20**

### **DESIGN STANDARDS**

#### **Sections:**

**18.20.010 Departmental standards.**

**18.20.020 Design standards generally.**

**18.20.030 Blocks.**

**18.20.040 Lots.**

**18.20.050 Protection strips.**

#### **18.20.010 Departmental standards.**

Standards for design, construction specifications and inspection of street improvements, curbs, gutters, sidewalks, storm drainage and flood control facilities shall be prepared by the city engineer; standards for water distribution and sewage disposal facilities shall be prepared by the health department, and similar standards for fire hydrants shall be prepared by the fire department. All subdividers shall comply with the standards established by such departments and agencies of the city, provided that such standards shall be approved by the city council.

#### **18.20.020 Design standards generally.**

The design of the preliminary and final plats of the subdivision in relation to streets, blocks, lots, open spaces and other design factors shall be in harmony with design standards recommended by the planning commission and by other departments and agencies of city government. Design standards shall be approved by the city council and shall include provisions as provided in sections 18.20.030 through 18.20.050.

#### **18.20.030 Blocks.**

A. Dedicated walkways through the block may be required where access is necessary to a point designated by the planning commission. Such walkways shall be a minimum of six feet in width, but may be required to be wider where determined necessary by the planning commission. The subdivider shall surface the full width of the walkway with a concrete surface, install a chain-link fence or its equal four feet high on each side and the full length of each walkway and provide, in accordance with the standards, rules and regulations, barriers at each walkway entrance to prevent the use of the walkway, by any motor vehicle or by any other nonmotorized vehicle wider than four feet.

B. Blocks intended for business or industrial use shall be designed specifically for such

purposes with adequate space set aside for off-street parking and delivery facilities.

#### **18.20.040 Lots.**

A. The lot arrangement and design shall be such that lots will provide satisfactory and desirable sites for buildings, and be properly related to topography, to the character of surrounding development and to existing requirements.

B. All lots shown on the preliminary and final plats must conform to the minimum requirements of the zoning title, if any, for the zone in which the subdivision is located, and to the minimum requirements of the health department for water supply and sewage disposal. The minimum width for any residential building lot shall be as required by the zoning title.

C. Each lot shall abut on a street shown on the subdivision plat or on an existing publicly dedicated street which has become public by right of use and which is more than 26 feet wide. Double frontage lots shall be prohibited except where unusual conditions make other designs undesirable.

D. Side lines or lots shall be approximately at right angles, or radial to the street lines.

E. In general, all remnants of lots below minimum size must be added to adjacent lots, rather than allowed to remain as unusable parcels.

#### **18.20.050 Protection strips.**

Where subdivision streets parallel contiguous property of other owners, the subdivider may, upon approval of the planning commission, retain a protection strip not less than one foot in width between the street and adjacent property; provided, that an agreement, approved by the city attorney, has been made by the subdivider, contracting to deed to the then owners of the contiguous property, protection strip for a consideration named in the agreement; such consideration to be not more than the fair cost of land in the protection

strip, the street improvements properly chargeable to the contiguous property, plus the value of one-half the land in the street at the time of agreement, together with interest at a fair rate from the time of agreement until the time of the subdivision of such contiguous property. One copy of the agreement shall be submitted by the city attorney to the planning commission prior to approval of the final plat. Protection strips shall not be permitted at the end of or within the boundaries of a public street or proposed street or within any area intended for future public use.

## **Chapter 18.24**

### **REQUIRED IMPROVEMENTS**

#### **Sections:**

**18.24.010 Certification of improvements.**

**18.24.020 Sewers.**

**18.24.030 Storm drainage.**

**18.24.040 Street improvements.**

**18.24.050 Arrangement of streets.**

**18.24.060 Pavement requirements.**

**18.24.070 Curbs, gutters, sidewalks and park strips.**

**18.24.080 Street name signs.**

**18.24.090 Trails.**

**18.24.100 Fire hydrants.**

**18.24.110 Storm water inlets and catch basins.**

**18.24.120 Open ditches and canals—  
Permitted when.**

**18.24.130 Fencing requirements.**

**18.24.140 Construction of improvements.**

**18.24.150 Responsibility for damages.**

**18.24.160 Performance bonds.**

**18.24.170 Exemptions.**

**18.24.180 Fee in lieu of required improvements.**

**18.24.190 Street lighting.**

**18.24.200 Public utilities.**

#### **18.24.010 Certification of improvements.**

No final plat of a subdivision of land shall be recorded, except as provided in section 18.08.030, without receiving a statement signed by the city engineer certifying that the improvements described in the subdivider's plans and specifications have been completed, that they meet the minimum requirements of all ordinances of the city, that they comply with the standards and requirements of the health department, the city engineer, the planning commission and the city fire department.

#### **18.24.020 Sewers.**

Storm sewers shall be constructed throughout the entire subdivision to carry off water from all inlets and catch basins, and shall be connected to an adequate outfall. A storm water drainage system subject to the approval of the city engineer shall be provided, and shall be separate and independent of the sanitary sewer system. The final plans for the drainage system shall be prepared by a licensed engineer not in the employ of the city.

#### **18.24.030 Storm drainage.**

No ditch or canal shall be approved as suitable for the use of storm drainage water without the written permission of the appropriate ditch or canal company or of the water users for such use. No ditch or canal shall be used for storm waters unless adequately improved to handle such water as might be reasonably expected to flow from canal and ditch water, subdivision runoff water, and other water expected to reach such canal or ditch. No ditch, canal or other waterway shall be permitted within property dedicated or to be dedicated for public use. The subdivider shall remove such waterways from property to be so dedicated prior to the construction of required off-site improvements.

#### **18.24.040 Street improvements.**

The subdivider shall submit a complete set

of construction plans and profiles of all streets, existing and proposed, within the subdivision to the city engineer. Plans and profiles are to be prepared by a licensed professional engineer not in the employ of the city and shall be accompanied by the final plat. The city engineer shall within a reasonable time not to exceed 20 days from the receipt of the plans and profiles, notify the subdivider of approval, and in case of disapproval the reasons therefor.

A. At least ten days prior to the commencement of construction, the subdivider shall furnish to the community development department three complete sets of approved construction plans and profiles of all streets, existing and proposed. Such plans and profiles shall include:

1. The designation of limits of work to be done;
2. The location of the bench mark and its true elevation according to city datum, all profiles to be referred to that datum;
3. Profiles which indicate the finished and existing grades for each side of the street. Separate profiles, clearly designated, shall be made for each side of the street;
4. Construction plans which include the details of curb and gutter and street cross-sections, location and elevation of manholes, catch basins and storm sewers, elevations and location of fire hydrants and any other detail necessary to simplify construction;
5. Complete date for field layout and office checking;
6. On curb returns, at least two additional control points for elevation besides those at points of curvature. Control points shall be staked in the field to insure drainage at intersection; and
7. The street address of the project.

#### **18.24.050 Arrangement of streets.**

The arrangement of streets in new subdivisions shall make provision for the continuation of the existing streets in adjoining areas

and shall provide access to unsubdivided adjoining areas insofar as such continuation or access shall be deemed necessary by the planning commission. New streets must connect with existing public streets.

**18.24.060 Pavement requirements.**

A. All streets within the city shall be improved with pavements bounded by integral concrete curbs and gutters to an overall width in accordance with the standards, rules and regulations approved by the city council.

B. Pavements shall be constructed in accordance with the requirements of the standards, rules and regulations approved by the city council.

**18.24.070 Curbs, gutters, sidewalks and park strips.**

A. Curbs and gutters on all streets shall be concrete of the standard high back-type unit, not less than two feet, six inches in overall width, and not less than seven inches thick where the curb abuts the street pavement.

B. All curb corners shall have a radius of not less than 25 feet.

C. The subdivider shall install curbs, gutters and sidewalks on existing and proposed streets in all subdivisions.

D. The subdivider shall install landscaping in the area between the curb and sidewalks. The type and amount of landscaping required shall be at the discretion of the community development director and shall vary within the development.

E. The plants and other landscaping material that best serve the intended functions shall be used. Landscaping material shall be appropriate for local environment, soil conditions and availability of water.

F. The improvements required by this section shall not apply to those properties which meet all of the following conditions:

1. Property that fronts along existing paved, public roads.
2. Property shall meet either of the re-

quirements listed below:

a. Property 1.5 acres or smaller; shall be allowed to subdivide according to the applicable zone.

b. Property larger than 1.5 acres; shall only subdivide one lot per year according to the applicable zoning.

3. Property that has been subdivided and recorded prior to the date of this approval or legally subdivided after this date.

G. All subdivisions shall dedicate additional right of way as dictated by the City Transportation Master Plan.

**18.24.080 Street name signs.**

Street name signs, conforming to the design and specifications and in the number provided by the standards, rules and regulations of the city engineer, shall be provided by the developer at all street intersections. Installation shall be made by the city to insure uniformity.

**18.24.090 Trails.**

The subdivider shall dedicate trails necessary to provide public access to public lands and other trails shown on the city's general plan or required by the planning commission. Trails shall be located so that the route is feasible for both construction and long term maintenance; insurmountable physical obstructions shall be avoided. The specific location of the trail right-of-way shall be verified on the ground before approval of the subdivision. The amount of land required for trail dedication without compensation shall not exceed five percent of the land within the subdivision excluding trails located within a standard street right-of-way. Fencing needed to protect the trail users or the adjoining property owners may be specified by the planning commission by policy.

**18.24.100 Fire hydrants.**

Fire hydrants shall be installed in all subdivisions in accordance with the regulations of

the city fire department.

**18.24.110 Storm water inlets and catch basins.**

Storm water inlets and catch basins shall be provided within the roadway improvements at points specified by the community development department.

**18.24.120 Open ditches and canals—  
Permitted when.**

Open ditches or canals shall not be allowed within or adjoining a subdivision except along rear or side lot lines. The subdivider shall work with irrigation, drainage or ditch companies as to:

A. Methods of covering, realigning or eliminating ditches or canals within or adjoining the subdivision;

B. The size of pipe and culverts required; and

C. The responsibility for the periodic inspection, cleaning and maintenance of such ditches, pipes and culverts. In cases where canals or ditches cross public roads or proposed public roads, specifications and grades for pipe or culvert must be approved by the city engineer.

**18.24.130 Fencing requirements.**

A. The subdivider shall install a six-foot, nonclimbable chain-link fence, or its equivalent, in conformance with the standards and rules and regulations adopted as provided in section 18.20.010, along all open ditches, canals or waterways, nonaccess streets, open reservoirs or bodies of water, railroad rights-of-way and other such features of potentially hazardous nature on, crossing or contiguous to the property being subdivided, except along those features which the planning commission shall determine would not be a hazard to life, or where the conforming structure would create a hazard to the safety of the public.

B. Fencing and landscaping along nonaccess streets shall be reviewed and approved by the

planning commission to provide a uniform and esthetically pleasing streetscape.

C. Subdivisions developing next to existing agricultural property may be required, by the Planning Commission, to fence the property line to protect the proposed lots from adjoining uses or to protect the agricultural uses from the proposed residential uses.

D. Double fences shall be prohibited, except where adjacent to an existing agricultural or animal use. This requirement means that owners who wish to construct a fence may need to tie their fence into the adjacent lots fence, if it currently exists, or must comply with the following definition: Double fencing is defined as fences running parallel with each other, which are located with a separation distance less than six (6) feet. (Fences running parallel with each other greater than six (6) feet in separation distance properly gated or accessible for maintenance purposes, shall not be considered a double fence).

**18.24.140 Construction of improvements.**

A. 24 hours prior to construction of any required improvements, the city engineer shall be notified so that proper inspection may be provided and so that it may be determined whether or not proper authorization and/or required permits for construction have been obtained.

B. As-built plan and profile drawings shall be furnished to the city engineer of all street improvements, storm sewer, sanitary sewer and water systems upon completion. The city shall retain the improvement bond until such plans have been submitted.

C. Extreme care should be exercised on the part of the subdivider, the contractor and all other associated agencies for the protection and maintenance of all existing or newly placed improvements or facilities within the roadway sections during development.

**18.24.150 Responsibility for damages.**

All damages to any bonded improvements

or facilities incurred during the period of development shall be the sole responsibility of the subdivider and must be replaced to the satisfaction of the city before final acceptance of any improvements caused by the subdivider or any agents of the subdivider shall be repaired by the subdivider to the satisfaction of the city prior to final acceptance and bond release.

**18.24.160 Performance bonds.**

A. The subdividers shall file with the city a cash bond, an escrow agreement, or an irrevocable letter of credit in a form approved by the city attorney and in an amount specified by the city engineer to assure actual construction of the improvements listed in this chapter within two-years after the date such bond is posted. Upon acceptance of such improvements by the city, twenty-five percent of the original bond amount will be held for an additional one year period beginning on the date such improvements are accepted to guarantee the public improvements against defect. After such additional one year period ten percent of the original bond amount will be held for an additional six months beginning on the date that the one year period expires to guarantee the public improvements against defect. The bond or agreement shall also secure all lot improvements as identified within the subdivision which are required in this chapter.

B. If the city determines that the required improvements should be completed in a specified sequence and/or in less than a two-year period in order to protect the health, safety and welfare of the city or its residents from traffic, flood, drainage or other hazards, it may require in approving the final subdivision plat that the improvements be installed in a specified sequence and period which may be less than two years and shall incorporate such requirements in the bond.

C. Inspections shall be made within seven calendar days from the date of the request. If inspection shows that city standards and specifications have been met in the completion of

such improvements, the bond shall be released within seven days from the time of inspection and filing of the as-built plan and profile drawings. If the bonds are not released, refusal to release and the reasons therefor shall be given to the subdivider in writing within 14 days from the time of the inspection.

**18.24.170 Exemptions.**

Churches and educational institutions shall, upon the submission of a letter guaranteeing the improvements required by this chapter, be exempt from the provisions of section 18.24.160.

**18.24.180 Fee in lieu of required improvements.**

A. Where present conditions exist which make it unfeasible or impractical to install any required public improvements, the city may require the subdivider to pay to the city a fee equal to the estimated cost of such improvements as determined by the city engineer. Upon payment of the fee by the developer, the city shall assume the responsibility for future installation of such improvements.

B. The treasurer shall establish a special account for such fees and shall credit to such account a proportioned share of interest earned from investment of city monies. Records relating to identification of properties for which fees have been collected, fee amounts collected for such properties and money transfer requests shall be the responsibility of the city engineer.

**18.24.190 Street lighting.**

A. The subdivider shall install street lights. A 70 watt (5600 lumens) high pressure sodium vapor luminaire with photo cell shall be installed on streets that are less than 80 feet in width. A light pole shall be required to be installed at all intersections. A 150 watt (16,000 lumens) high pressure sodium vapor luminaire with photo cell shall be used on streets that are 80 feet or more in width.

B. Street lights, including streetlights located near intersections, shall be no more than 150 feet apart. Placement shall alternate from one side of the street to the other and shall be placed on side property lines. At intersections the street light shall be located near the intersection. The spacing for streetlights on streets that are 80 feet or more in width shall be 125 feet apart on both sides of the street and placed in an alternating pattern to allow for even lighting.

C. The street light fixtures shall be "refractive globe acorn" or similar lighting fixture for the local roads and "Herriman Tear-Drop" on streets that are 80 feet or more in width. The power shall be placed underground.

D. The lights shall be installed in the space between the curb and sidewalks. In situations where the sidewalk is integral, the street light shall be placed within two feet of the sidewalk.

E. Final placement of street lights shall be approved in writing by the city or its designee.

#### **18.24.200 Public utilities:**

A. The city engineer or his or her designee may approve the following public utilities in any zone:

1. Electric power transmission and distribution lines with a capacity of less than sixty nine (69) kV.

2. Gas transmission and distribution lines with a design pressure of less than six hundred (600) psi and pipe diameter of less than sixteen inches (16").

3. Canals and water transmission and distribution lines with a capacity of less than two hundred (200) second feet.

4. Motor vehicle right-of-ways and driveways.

5. Telephone lines.

6. Cable television or communication lines.

7. Easements, rights of way, service driveways or accessory structures which are

appurtenant to the above uses.

B. The following large scale public utilities may be allowed in all zones subject to the granting of a conditional permit:

1. Electric power transmission lines with a capacity of sixty nine (69) kV or greater.

2. Gas transmission lines with a design pressure of six hundred (600) psi or greater and pipe diameter of sixteen inches (16") or larger.

3. Communication towers

4. Any easements, rights of way, service driveways, or accessory structures which are appurtenant to the above uses.

C. Public facilities shall be subject to all of the height, bulk, location and other standards for the zone in which they are located except:

1. There shall be no minimum lot size required.

2. Only walled and/or roofed structures shall be required to meet the yard requirements (setbacks) of the zone. Otherwise, the public facilities listed in this section shall have no minimum yard requirements.

D. In new developments, all utility lines and structures shall be installed underground in properly recorded easements according to city engineering and public utility standards. Junction boxes, monitoring and pump stations and other aboveground utility structures not listed above in excess of thirty (30) square feet in area or over four feet (4') in height shall require conditional use permit approval prior to installation.

### **Chapter 18.26**

#### **VACATING OR CHANGING SUBDIVISION PLAT**

##### **Sections:**

**18.26.010 Plat vacation process.**

**18.26.020 Notice of hearing for plat change.**

**18.26.030 Grounds for vacating or changing a plat.**

### **18.26.040 Lot line adjustments.**

#### **18.26.010 Plat vacation process.**

A. The planning commission may, with or without a petition, consider any proposed vacation, alteration, or amendment of a subdivision plat, any portion of a subdivision plat, or any street, lot, or alley contained in a subdivision plat at a public hearing.

B. If a petition is filed, the planning commission shall hold a public hearing within 45 days after receipt of a petition.

C. A petition to vacate, alter, or amend a subdivision plat, any portion of a subdivision plat, or a street, lot or alley contained in a subdivision plat shall include:

1. The name and address of all owners of record of real property contained in the entire plat;

2. The name and address of all owners of record of real property located within 400 feet of any street that is proposed to be vacated, altered, or amended; and

3. The signature of each property owner who consents to the petition.

D. When the planning commission proposes to vacate, alter, or amend a subdivision plat, any portion of a subdivision plat, or a street, lot or alley contained in a subdivision plat, they shall consider the issue at a public hearing after giving the notice required by this chapter.

#### **18.26.020 Notice of hearing for plat change.**

A. The planning commission shall cause notice of the proposed plat change to be mailed to each owner of real property located within 400 feet of the property that is the subject of the proposed plat change, addressed to the owner's mailing address appearing on the most recent assessment rolls of the Salt Lake County Assessor.

B. The notice shall include the date, place, and time when the hearing will be held to consider such proposed plat change.

C. If the proposed change involves the vacation, alteration, or amendment of a street, the planning commission shall also cause notice of the date, place, and time of the hearing regarding the matter to be given by publishing the notice at least 14 days prior to such hearing in a newspaper of general circulation in the city and posting a notice in three public places in the city at least 14 days prior to such hearing.

#### **18.26.030 Grounds for vacating or changing a plat.**

A. Within 30 days after the public hearing required by this chapter, the planning commission shall consider the petition.

B. If the planning commission is satisfied that neither the public nor any person will be materially injured by the proposed vacation, alteration, or amendment, and that there is good cause for the vacation, alteration, or amendment, then the planning commission may recommend to the mayor to vacate, alter or amend the plat, any portion of the plat, or any street or lot.

C. The planning commission may ensure that the vacation, alteration, or amendment is recorded in the office of the Salt Lake County Recorder.

D. An aggrieved party may appeal the planning commission's decision to the city council within 10 days after the planning commission decision.

#### **18.36.040 Lot line adjustments.**

Petitions to adjust lot lines between adjacent properties may be executed upon the recordation of an appropriate deed if:

- A. No new dwelling lot or housing unit results from the lot line adjustment;

- B. The adjoining property owners consent to the lot line adjustment;

- C. The lot line adjustment does not result in remnant land that did not previously exist;

- D. The adjustment does not result in violation of applicable zoning requirements; and

E. The petition has been reviewed and approved by the community development director or his designee prior to recordation with the Salt Lake County Recorder's office.

## **Chapter 18.28**

### **PROPERTY IDENTIFICATION**

#### **Sections:**

**18.28.010 Purpose.**

**18.28.020 Duty to identify property.**

**18.28.030 Definitions.**

**18.28.040 Names of streets designated in official street and address files.**

**18.28.050 System of numbering.**

**18.28.060 Display of property identification number.**

**18.28.070 Property identification approval required for building and occupancy permit.**

**18.28.080 Property identification approval required for final plat approval.**

**18.28.090 Street identification change.**

**18.28.100 System of street identification signs.**

**18.28.110 Thoroughfare identification signs.**

**18.28.120 Street signs—Compliance.**

**18.28.130 Street signs—Requirements.**

**18.28.140 Enforcement and violation.**

**18.28.150 Nonconforming properties—Time for completion.**

**18.28.160 Penalty.**

**18.28.170 Severability.**

**18.28.010 Purpose.**

It is the purpose of this chapter to establish in the city a uniform system of property identification in order to foster uniformity and order among street names and numbers and structure numbers within the city and to provide an adequate system of property identification for the providers of emergency services within the boundaries of the city.

**18.28.020 Duty to identify property.**

It shall be the duty of the city engineer or his designated officer to establish a uniform property identification system in the city, to name and number all streets therein and to designate numbers for houses or buildings fronting upon all such streets, to issue property identification certificates and to enforce the provisions of this chapter, consistent with the purpose of this chapter. All street names must be reviewed and approved by the planning commission.

**18.28.030 Definitions.**

As used in this chapter:

A. "Address (situs address)" means a unique alphanumeric descriptor which identifies the property location of a parcel of land, a building or other structure on the county wide grid system.

B. "Property identification certificate" means the official documentation, including a certificate number and the registration of a legal situs address, which is issued to the owner/resident for their parcel, building or premises dwelling. The official situs address may also be designated on final plats recorded in the office of the county recorder.

C. "Address format" means the order of assemblage and structure of the five standardized components (frontage number, directional, thoroughfare name or number, thoroughfare type, substructure suffix) used in the legal situs address.

D. "Baseline street" means the east and west directional street (South Temple Street in Salt Lake City) which intersects with the meridian (Main Street in Salt Lake City) street to benchmark the permanent origin of the county-wide grid system and provide a datum point from which the coordinates of all other thoroughfares and legal situs addresses are calculated.

E. "Directional" means the compass direction of the legal situs address which refer-

ences the county wide grid and the direction in which the frontage numbers are measured along the roadway of both public and private thoroughfares. When a thoroughfare number is used in the address instead of an alphabetic name, a directional shall also be used to designate its direction. A directional shall always be abbreviated with the first letter of its compass direction in standardized address format.

F. "Final plat" means a map or chart of a subdivision, PUD, condominium or other proposed development which has been accurately sited or surveyed, and located on the ground so that thoroughfares, alleys, blocks, lots and other divisions thereof can be identified.

G. "Frontage number" means the prefix component of the legal situs address which is numerically sequenced and assigned to a structure or parcel along a thoroughfare according to its relative distance perpendicular to the baseline or meridian axis of the county-wide grid system.

H. "County wide grid system" means the coordinate system which has evolved and developed for identifying address and thoroughfare locations over the greater part of Salt Lake County.

I. "Intersection" means the point on the county-wide grid system which identifies the location where two or more thoroughfares cross one another.

J. "Meridian street" means the north and south directional thoroughfare (Main Street in Salt Lake City) which benchmarks the permanent origin of the county-wide grid system and provides a datum point from which the coordinates of all other streets and legal situs addresses are calculated (see "baseline street").

K. "Official street and address files" means the computer files and associated maps adopted by the city under the provisions of *Utah Code Ann.* § 10-9-8, to include the "Master Street Plan" of the city, including maps and reports or both, which have been

approved by the city planning commission as required by law.

L. "Private rights-of-way" means thoroughfares which are retained and maintained under the ownership of private individuals intended for private use.

M. "Public rights-of-way" means thoroughfares which are dedicated for perpetual public use and are administered by the governing entities in which they are located.

N. "Subdivision" means the division of a tract, or lot or parcel of land into two or more lots, plots, sites or other divisions of land for the purpose, whether immediate or future, of sale or building development or redevelopment, and a plat has theretofore been recorded in the office of the county recorder under a unique name to identify one subdivision from another. In property identification context, "subdivision name" may also be used to identify other conditional use or project names.

O. "Unit locator" is the last component of a legal situs address which is an alphabetical or numerical code used to identify a one-to-one correspondence between a building and high density occupancy structures within the building such as suites, rooms, apartments and condominium units.

P. "Thoroughfare" means any rights-of-way, under public or private ownership for public use, designed for the travel of motorized vehicles to enter and exit through passage and to include the ways used for internal circulation of traffic.

Q. "Thoroughfare name" means the alphabetic name assigned, not including the street type designator, to identify both public and private thoroughfares which are on the county-wide grid, and is one of the primary components of a legal situs address.

R. "Thoroughfare number" means the name of a thoroughfare designated with numerals according to its numerical position on the county-wide grid relative to the baseline or meridian axis streets. Thoroughfare numbers never contain alphanumeric characters (e.g.,

2nd South Street). When a thoroughfare number is designated, a directional corresponding to its orientation on the grid is also required (e.g., 200 South Street).

S. "Thoroughfare type" means a standardized identification descriptor which corresponds to physical and functional characteristics of a thoroughfare (e.g., "Avenue," "Bay," "Boulevard," "Circle," "Court," "Cove," "Drive," "Expressway," "Lane," "Parkway," "Place," "Road," "Row," "Street" and "Way").

T. "Uniform property identification system" means the established regulations and guidelines, as revised from time to time, which define specific procedures for the design and designation of address numbers on all houses and buildings including occupancy units therein as well as the design of names and numbers for streets both public and private including standards for street intersection markers (signs).

#### **18.28.040 Names of streets designated in official street and address files.**

All streets of the city, whether public or private, shall be known by the names by which they are so designated in the official street and address files of the city, filed in the office of the city engineer with such additions, changes and corrections of the names as shall from time to time be placed in the official files by ordinance.

#### **18.28.050 System of numbering.**

The city engineer, in numbering the houses or buildings upon the streets of the city, shall adhere to the following address format:

A. The initial point of intersection in the county-wide grid system shall be the junction of Main Street (meridian street) and South Temple Street (baseline street axis) in Salt Lake City, and the numbering shall extend thence east, west, north and south, the even numbers always on the right and odd numbers on the left, looking away from the initial

point.

B. Each property identification number must contain:

1. A frontage number component which is numerically sequenced and assigned to a structure or parcel along a street according to its relative distance perpendicular to the baseline or meridian axis of the county wide grid;

2. A direction component referencing the county grid quadrant and the compass direction in which the frontage numbers run, abbreviated with the single letter equivalent for its compass direction (N, E, S or W);

3. A thoroughfare name component consisting of either an alphabetic name or a number name, but not both;

4. Thoroughfare type component, which modifies the name to distinguish specific locational, functional and physical characteristics of the thoroughfare; and

5. A unit locator component, which is an alphabetical or numerical code used to identify high-density occupancy units within a structure having one and the same frontage number component.

C. Thoroughfare names must meet the criteria established pursuant to subsection D of this section before final approval can be given by the community development director.

D. The city engineer shall develop a written policy for thoroughfare and structure identification, elimination of duplicate thoroughfare names, which policy shall be approved by the city council and shall be available for inspection at the offices of the city engineer. The thoroughfare identification criteria should take into consideration historical character, local color or theme, locational characteristics, and compatibility with adjacent thoroughfares.

#### **18.28.060 Display of property identification number.**

When a property identification number has been designated by the city engineer, the owner or occupant of such house or building shall

cause a painted, carved or cast duplicate of such number at least three inches in height and varying in size according to the setback distance of the structure, and of a shade contrasting with the background upon which the number is mounted, to be located on the structure as provided in this chapter. Such number shall be block numerals (not script) and shall be located in a conspicuous position upon the portion of such structure which faces the thoroughfare identified in the address certificate. The property identification number shall be mounted in a permanent, stationary and durable manner, unobstructed at all times by vines, screens or anything that would tend to hide or obscure the number, and at a sufficient height that the number will be clearly perceptible with the unaided eye from the centerline of the thoroughfare upon which the structure is located.

**18.28.070 Property identification approval required for building and occupancy permit.**

A. No building permit shall be issued until such time as the applicant has paid required fees and applied for and received a legal situs address from the city engineer. The official address so issued must appear on the building permit when issued.

B. No occupancy permit shall be issued until such time as the applicant has paid required fees, applied for and received official certificate of property identification, and permanently affixed the official address to the structure and substructure as required in this chapter. The city engineer shall have the right to change property identification numbers without notice and with or without cause prior to issuance of an occupancy permit.

**18.28.080 Property identification approval required for final plat approval.**

Property identification approval must be given by the city engineer prior to final approval of a subdivision. The property identifi-

cation approval must appear on the final plat of a subdivision, PUD, condominium or other proposed development prior to final approval and upon amendment. The developer shall pay for and the city arrange to manufacture and install all thoroughfare identification signs as required by the community development director.

**18.28.090 Street identification change.**

A. Upon application from seventy-five percent of the owners of structures located upon a thoroughfare for a change in thoroughfare name identification, and upon payment of a minimum fee (\$250), the city engineer shall review the application and make a determination as to the propriety of the requested change. If the request is granted by the city council, the balance of the associated costs for the name change shall be paid before the thoroughfare designation shall be included in the official street file of the city and in the official property identification numbers (addresses) assigned to such thoroughfare.

B. If, in the opinion of the city council, a requested change of thoroughfare name identification is necessary for the protection of the public health, safety and welfare of the citizens of the city, the city council may, at its discretion, waive payment of the fee and associated costs for such change and for issuance of new property identification certificates.

**18.28.100 System of street identification signs.**

It shall be the duty of the city engineer to establish a uniform system for thoroughfare identification signs upon all streets of the city.

**18.28.110 Thoroughfare identification signs.**

Thoroughfare identification signs, approved by the city, shall be paid for by the developer or property owner with manufacturing and installation arranged by the city at the intersections of all streets and highways and at

such other locations as may be determined to be necessary by the city engineer.

**18.28.120 Street signs—Compliance.**

It is unlawful to erect or maintain any thoroughfare identification sign which has not been approved by the city engineer.

**18.28.130 Street signs—Requirements.**

All street signs shall be constructed and installed in accordance with the specifications approved by and on file with the city.

**18.28.140 Enforcement and violation.**

A. It shall be the duty of the city engineer and his designated officers and deputies to enforce the provisions of this chapter.

B. It is unlawful for any owner of a parcel of land upon which a structure is located to fail to number such structure or units within the structure with the number designated by the city engineer. It is unlawful for the owner of any structure or substructure or for the owner or agent of any unoccupied, habitable structure located upon a thoroughfare within the city to fail to number such structure or units within the structure with the designated number in the manner set forth in this chapter. It is unlawful for any person to number a structure or units within a structure in any manner other than that prescribed in this chapter.

**18.28.150 Nonconforming properties—  
Time for completion.**

A. This chapter shall apply to all thoroughfares, streets, structures, street identification signs and address numbers, public or private, existing within the city at the time of adoption of the ordinance as well as those thereafter created or constructed.

B. Those thoroughfares, streets, structures, signs and address numbers which are not in compliance with this chapter or which fail to comply with the designations made by the city engineer pursuant to this chapter at

the time of the adoption of the ordinance shall be brought into full compliance by owners not later than 60 days after notification.

**18.28.160 Penalty.**

Any person or entity violating the provisions of this chapter, either by failing to do those acts required herein, or by doing any act prohibited herein, is guilty of a misdemeanor.

**18.28.170 Severability.**

The provisions of this chapter are severable and if any provision, clause, sentence, section, word or part thereof is held illegal, invalid or unconstitutional or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts of the chapter or their application to other persons or circumstances. It is hereby declared to be the legislative intent that the chapter would have been adopted if such illegal, invalid or unconstitutional provisions, clauses, sentences, sections, words or parts had not been included therein, and if the person or circumstances to which the chapter or part thereof is inapplicable had been specifically exempted therefrom.

**Chapter 18.32**

**HEALTH DEPARTMENT  
REGULATIONS**

**Sections:**

**18.32.010 Adoption of health regulations.**

**18.32.020 Violations.**

**18.32.010 Adoption of health regulations.**

The provisions of the health department health regulation No. 12, entitled "Subdivisions," as currently adopted by the health department, are incorporated in their entirety by reference.

### **18.32.020 Violations.**

Violation of any provision of any health regulation incorporated into this title shall constitute a misdemeanor as defined by the Utah State Code. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punished as such.

## **Chapter 18.36**

### **FEES, ADMINISTRATION AND ENFORCEMENT**

#### **Sections:**

#### **18.36.010 Building permit issuance.**

#### **18.36.020 Filing fee.**

#### **18.36.030 Inspections.**

#### **18.36.040 Enforcement authority.**

#### **18.36.010 Building permit issuance.**

From the effective date of this title, the city engineer shall not grant a permit, nor shall any city officer grant any license or permit for the use of any land or the construction or alteration of any building or structure on a lot which would be in violation of any provisions of this title until a subdivision plat therefor has been recorded or approved as required in this title. Any license or permit issued in conflict with such provisions shall be void.

#### **18.36.020 Filing fee.**

Any and all persons filing plats with the county recorder shall first have paid all fees required in this title. In addition, persons filing plats shall pay to the city engineer prior to recording, an office checking fee.

#### **18.36.030 Inspections.**

Appropriate agencies and departments of the city shall inspect or cause to be inspected all buildings, street improvements, fire hydrants and water supply and sewage disposal

systems in the course of construction, installation or repair. Excavations for the fire hydrants and water and sewer mains and laterals shall not be covered or backfilled until such installation shall have been approved by the city engineer. If any such installation is covered before being inspected and approved, it shall be uncovered after notice to uncover has been issued to the responsible person by the inspector.

#### **18.36.040 Enforcement authority.**

The city engineer, the city fire department, the planning commission and such other departments and agencies of city government as are specified under the provisions of this title are designated and authorized as the agencies charged with the enforcement of the provisions of this title and shall enter such actions in court as are necessary. Failure of such departments to pursue appropriate legal remedies shall not legalize any violation of such provisions.

## **Chapter 18.40**

### **VIOLATIONS AND PENALTIES**

#### **Sections:**

#### **18.40.010 Prohibited acts.**

#### **18.40.020 Violation—Penalty.**

#### **18.40.010 Prohibited acts.**

No person shall subdivide any tract or parcel of land located wholly or in part in the city except in compliance with the provisions of this title. No person shall purchase, sell or exchange any parcel of land that is any part of a subdivision or a proposed subdivision submitted to the planning commission, nor offer for recording in the office of the county recorder any deed conveying such parcel of land or any fee interest therein, unless such subdivision has been created pursuant to and in accordance with the provisions of this title.

**18.40.020 Violation—Penalty.**

Whoever shall violate any of the provisions of this title shall be guilty of a misdemeanor and, upon conviction of any such violation, shall be punishable by a fine of not more than \$299, or by imprisonment for not more than 90 days, or by both such fine and imprisonment, except that in all cases where a corporation would be punishable for a misdemeanor and there is no other punishment prescribed by ordinance, such corporation is punishable by a fine not exceeding \$2,000.