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12 EFFECTUAL CLAUSES

12-A VIOLATIONS AND PENALTIES

12-A-1 All departments, officials, and public employees of Clarke County vested with the duty or authority to issue permits or licenses shall conform to the provisions of this Ordinance and shall issue no such permit or license for uses, structures, or purposes where the same would be in conflict with the provisions of this Ordinance, and any such permit or license, if issued in conflict with the provisions of this Ordinance, shall be null and void.

12-A-2 It shall constitute a violation of this Ordinance for any person, firm, corporation, owner, or agent to disobey, neglect, or refuse to comply with, or resist the enforcement of, any of the provisions of this Ordinance.

12-A-3 Any person who knowingly and intentionally makes any false statement relating to a material fact for the purpose of complying with the requirements of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than $1,000 and/or 30 days in jail.

12-A-4 Any person subdividing, transferring, or selling lots or parcels in violation of this Ordinance shall be subject to a fine of not more than $1,000 for each lot or parcel of land so subdivided, transferred, or sold; and the description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties or from the remedies herein provided. Purchasers who purchase lots that are in violation of this Ordinance shall not be entitled to building permits or other permits authorizing construction upon or improvements to such lots, and the conveyance of the lot or lots to the purchaser shall be voidable at the option of the purchaser. Any person who otherwise violates the provisions of this Ordinance shall be subject to a fine of not more than $1,000.

12-A-5 The Planning Commission, in addition to other remedies, may institute any appropriate action or proceedings to prevent a violation or attempted violation of this Ordinance; to restrain, correct, or abate such violation; or to prevent any act that would constitute such a violation.

12-B APPEALS

(10/17/89) Any subdivider aggrieved by an interpretation, administration, or enforcement of this Ordinance may appeal to the Circuit Court of Clarke County provided by law.

12-C VALIDITY

If any section, subsection, sentence, clause, phrase, or word of this Ordinance is, for any reason, held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of the Ordinance.

12-D AMENDMENTS

This Ordinance may be amended in whole or in part by the Board of Supervisors, provided that any such amendment shall either originate with or be submitted before amendment to the Planning Commission for its recommendation, such recommendation to be made within sixty-three days of receipt; and further provided that no such amendment may be adopted unless it is in conformity with the provisions of Title 15.2, Chapter 22, Article 6 of the Code of Virginia (1950), as amended.

12-E VACATION OF PLAT

(11/20/12) Any plat of record may be vacated in accordance with the provisions of the Virginia Land Subdivision Act, Title 15.2, Chapter 22, Article 6, Sections 2271 and 2272. Vacation of any plat of record, or of any portion of a plat of record, of subdivided land situated in the Agricultural-Open Space-Conservation (AOC) or the Forestal-Open Space- Conservation (FOC) zoning districts shall be subject to the provisions of Section 3-D-8 of the Clarke County Zoning Ordinance.

12-F FEES

To compensate the County for costs incurred for administration, examining plats, making investigations, advertising, travel, and other work incidental to the review of plats, a fee shall be payable to "Treasurer, Clarke County" in such amount as shall from time to time be set by schedule adopted by resolution of the Board of Supervisors.

12-G EFFECTIVE DATE

This Subdivision Ordinance shall be effective at and after 12:01 a.m., the 14th day of May, 1974.