

**ARTICLE VIII
ADMINISTRATION AND ENFORCEMENT**

SECTION 8.0 ADMINISTRATION: It shall be the responsibility of the planning commission's duly authorized representative to administer these regulations, including performance of all inspections in behalf of the commission, except where specific authority is retained by the planning commission, as provided per these regulations.

SECTION 8.1 FEES FOR PRELIMINARY AND FINAL PLATS; GRADING PLANS; IMPROVEMENT DRAWINGS AND SPECIFICATIONS; INSPECTIONS AND OTHER PLATS: The schedule of fees, charges, etc. shall be as established by the planning commission's By-Laws.

SECTION 8.2 PAYMENT OF FEES: The subdivider shall pay all fees to the planning commission's duly authorized representative at the time of submitting plats, improvement drawings and specifications, and grading plans for approval. Said fees shall be paid by cash, check or money order only, and made payable to the Pendleton County Joint Planning Commission.

SECTION 8.3 FEES FOR INSPECTING IMPROVEMENTS AS PER APPROVED GRADING PLANS, IMPROVEMENT DRAWINGS AND SPECIFICATIONS, AND/OR FINAL PLATS: An inspection fee shall be charged to the subdivider for inspections during the construction of the improvements. Said inspection fee shall be based on a unit cost per lineal foot of each item of construction required to be inspected (e.g. storm sewer systems, street paving including earthwork related to public improvements construction, erosion control, driveways and/or sidewalks, etc) measured from grading plans, improvement drawings and specifications and/or final plats by the planning commission's duly authorized representative. Inspection fees shall be paid by cash, check or money order only, and made payable to the Pendleton County Joint Planning Commission. During construction inspections, the planning commission's duly authorized representative will use collected inspection fees to cover costs for construction inspections.

SECTION 8.4 FEES FOR RECORDING FINAL PLATS IN COUNTY CLERK'S OFFICE: The subdivider shall pay the recording fee as per the requirements of the County Clerk's office.

SECTION 8.5 MODIFICATIONS: The planning commission may grant a modification or waiver to these regulations, as specified herein, providing the planning commission shall find:

- A. That unusual topographical or exceptional physical conditions exist; or
- B. That strict compliance with these regulations would create an extraordinary hardship in the face of the exceptional conditions; or
- C. That the modifications would provide for innovative design layout of the subdivision; or
- D. That strict compliance with any section of these regulations could cause an unsafe situation.

In granting any modification or waiver to these regulations, the planning commission shall find that said modification or waiver will not be detrimental to the public interest nor in conflict with the intent and purpose of these regulations. In addition, when granting a modification or waiver to these regulations the planning commission may impose conditions on the subdivider as determined necessary to accomplish the intent and purpose of these regulations.

SECTION 8.6 ENFORCEMENT:

- A. **REVISION OF PLAT AFTER APPROVAL:** No changes, erasures, modifications, or revisions shall be made in any plat of a subdivision after final approval has been given by the planning commission's duly authorized representative and an endorsement is made in writing on the plat, unless the plat is first resubmitted and the changes approved by the planning commission's duly authorized representative.
- B. **ENFORCEMENT BY PLANNING COMMISSION OR ITS DULY AUTHORIZED REPRESENTATIVE:** The planning commission or its duly authorized representative, shall have a cause of action for all appropriate relief including injunctions against any governmental bodies or any person who violates any of these regulations.

SECTION 8.7 PENALTIES: Pursuant to KRS 100.991, any person or entity who violates any of these regulations shall, upon conviction, be fined not less than ten dollars (\$10.00) but not more than five hundred dollars (\$500.00) each day of violation shall constitute a separate offense.

SECTION 8.8 SEVERABILITY: If any article, section, subsection, sentence, clause, or phrase of these regulations is, for any reason, held unconstitutional or invalid, such decision or holding shall not affect the validity of the remaining portions thereof, it being the intent to enact each section and portion thereof, individually, and each such section shall stand alone, if necessary, be in force notwithstanding the validity of any other article, section, subsection, sentence, clause or phrase of these regulations.

SECTION 8.9 CONFLICT: All regulations, resolutions, orders, ordinances, and/or codes in conflict herewith are hereby repealed on the effective date of these regulations; providing, however, that such repeal shall not affect or prevent the prosecution or punishment of any person for any action done or committed in violation of any such Subdivision Regulations, Order, Resolutions, and/or Amendments thereto, hereby repealed prior to the effective date of these regulations.