

SECTION 4

PROCEDURE FOR MAKING AND RECORDING PLATS

SECTION 4-1. PLATTING REQUIRED.

Any owner or developer of any tract of land situated within the corporate limits of the City of Winchester who subdivides the same shall have recorded in the Office of the Clerk of the Circuit Court a plat of the subdivision. No such plat or any subdivision shall be recorded until it shall have been approved in accordance with the regulations set forth in this Ordinance. No lot shall be sold in any such subdivision before the plat shall have been recorded. (11-10-92, Case #SA-92-01, Ord. No. 019-92)

SECTION 4-2. DRAW AND CERTIFY.

Every such plat shall be prepared by a surveyor duly licensed by the State of Virginia, who shall endorse upon each plat a certificate signed by him setting forth the source of the title of the land subdivided, and the place of record of the last acquired from more than one source title. When the plat is of land acquired from more than one source of title, the outlines of the several tracts shall be indicated upon such plat by an insert block, or by means of a dotted boundary line upon the plat.

SECTION 4-3. OWNERS' STATEMENT.

Every such plat, or the deed of dedication to which such plat is attached, shall contain in addition to the surveyor's or engineer's certificate a statement to the effect that "the above and foregoing subdivision of (here insert correct description of the land subdivided), as appears in this plat, is with the free consent and in accordance with the desire of the undersigned owners, proprietors, and trustees, if any", which shall be duly acknowledged before some officer authorized to take acknowledgements of deeds and when thus executed and approved as herein specified shall be filed and recorded in the Office of the Clerk of the Circuit Court of the City of Winchester, Virginia and indexed under the names of the land owners signing such statement and under the name of the subdivision.

SECTION 4-4. NO ONE EXEMPT.

No person shall subdivide any tract of land that is located within the jurisdiction of the City of Winchester, Virginia as defined in the 1950 Code of Virginia, as amended, except in conformity with the provision of this Ordinance.

SECTION 4-5. PRIVATE CONTRACTS.

LAND SUBDIVISION ORDINANCE

This Ordinance does not affect any private easement, covenant, agreement or restriction, nor is the responsibility of enforcing such private easement, covenant agreement or restriction implied herein to any public official. When this Ordinance calls for more restrictive standards than are required by private contract the provisions of this Ordinance shall control.

SECTION 4-6. REPEALED. (11-15-88, ORD. 045-88)

SECTION 4-7. RELATION TO ZONING.

When the intended use of all or part of the platted area, as indicated by the preliminary plat and as shown on that plat, would put the land in a more restrictive category than that which now exists, such shall be considered a petition for the rezoning of that platted area, provided that prior to approval of the final plat, the same shall comply with the provisions of the Zoning Ordinance.

SECTION 4-8. FEES.

There shall be a charge for the submission of each subdivision plat or revision thereto for approval or disapproval pursuant to this Ordinance. At the time of filing the preliminary plat, the applicant shall pay to the Treasurer the following amounts (3-14-06, Case SA-05-01, Ord. No. 10-2006):

Major Subdivision	\$2,000.00 + \$250.00/lot
Minor Subdivision	\$300.00 + \$50.00/lot
Revision	\$100.00 + \$20.00/lot
Reapproval	\$200.00