

## **SECTION 8 - EFFECTUAL CLAUSES**

### **8-1 EXCEPTIONS**

Where the subdivider can show that a provision of these standards would cause unnecessary hardship if strictly adhered to, and where, because of topographical or other conditions peculiar to the site, in the opinion of the Town Council a departure may be made without destroying the intent of such provisions, the Town Council may authorize an exception. Requests for any exception must be considered by the Planning Commission with report to be made to the Town Council within forty-five (45) days after receipt of request. The Town Council may act without such report if it is not made within the forty-five (45) day period.

### **8-2 PENALTIES**

Any owner or proprietor of any tract of land who subdivides that tract of land and who violates any of the provisions of this ordinance shall be guilty of a misdemeanor, punishable by a fine of not less than ten dollars (\$10.00) nor more than two hundred and fifty dollars (\$250.00), and each day after the first during which such violation shall continue shall constitute a separate violation.

### **8-3 VALIDITY**

Should any article, section, subsection or provision of this Subdivision Ordinance be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of this Subdivision Ordinance as a whole or any part thereof other than the part so declared to be invalid or unconstitutional.

### **8-4 REPEAL**

All ordinances or portions of ordinances in conflict with the ordinance are hereby repealed to the extent of their conflict.

### **8-5 AMENDMENTS**

This ordinance may be amended in whole or in part by the governing body provided that any such amendment shall either originate with or be submitted to the Commission for recommendation; and further provided that no such amendment shall be adopted without a public hearing having been held by the governing body. Notice of the time and place of the hearing shall have been

given at least once a week for two (2) weeks, and the last notice at least five (5) days prior to the hearing.