

Chapter 17.44

VIOLATIONS

Sections:

- 17.44.010 Restraining action.
- 17.44.020 Limitation on granting permits.
- 17.44.030 Penalty.
- 17.44.040 Assurance of discontinuance.

17.44.010 **Restraining action.** Whenever any parcel of land is divided into two or more lots, tracts, or parcels of land and any person, firm or corporation or any agent of them sells, leases, transfers or offers or advertises for sale, lease or transfer any such lot, tract or parcel without having a final plat of such subdivision filed for record, or in the case of a short plat approval as specified in Section 17.12.080, the city attorney shall commence an action to restrain and enjoin further subdivisions for sale, lease or transfer and compel compliance with all provisions of this act on those lands which previously had been subdivided, sold, leased, transferred or altered for sale, lease or transfer in noncompliance with this title. (Ord. 398 S1 (part), 1981.)

17.44.020 **Limitation on granting permits.** No building permit, septic tank permit, or other development permit shall be issued for any lot tract or parcel of land divided in violation of this chapter or local regulations adopted pursuant thereto unless the authority to issue such permits finds that the public interest will not be adversely affected. (Ord. 398 SI (part), 1981.)

17.44.030 **Penalty.** Any person who violates any court order or injunction issued pursuant to this title shall be subject to a fine of not more than three hundred dollars or imprisonment of not more than ninety days or both. (Ord. 398 S1 (part), 1981.)

17.44.040 **Assurance of discontinuance.** In the enforcement of this title, the city attorney may accept an assurance of discontinuance of any act or practice deemed in violation of this title, from any person engaging in such act or practice. Any such assurance shall be in writing and filed with and subject to the approval of the superior court of Benton County. A violation of such assurance shall constitute a prima facie proof of a violation of this title. (Ord. 398 S1 (part), 1981.)