

AN ORDINANCE PROVIDING RULES AND REGULATIONS FOR THE MUNICIPAL APPROVAL OF PLATS, SUBDIVISIONS OR DEDICATIONS; PRESCRIBING STANDARDS FOR THE DESIGN, LAYOUT AND DEVELOPMENT THEREOF; PROVIDING PROCEDURES FOR MUNICIPAL APPROVAL OR DISAPPROVAL THEREOF; PROVIDING FOR THE GRANTING OF VARIATIONS AND EXCEPTIONS THERETO, TO BE KNOWN AS THE "SUBDIVISION ORDINANCE"; providing a penalty for the violation thereof, and repealing all other ORDINANCES in conflict herewith:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KIRKLAND:

SECTION I.

Definitions

1.1 Comprehensive Plan or portions thereof are those coordinated plans in preparation or which have been prepared by the Planning Commission for the physical development of the municipality; or any plans, being portions of the Comprehensive Plan prepared for the physical development of such municipality, that designate, among other things, plans and programs to encourage the most appropriate use of land and lessen congestion throughout the municipality, and/or are in the interest of public health and welfare.

1.2 Dedication is the deliberate appropriation of land by its owner for any general and public uses, reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.

1.3 Final Plat is the plan of the plat, subdivision or dedication, or any portions thereof, prepared for filing for record by the County Auditor, and containing those elements and requirements set forth in Section 6 of this Ordinance. After the County Auditor has filed for record the Final Plat, it shall thereafter be known as an authorized plat, subdivision or dedication.

1.4 Official Plans are those official maps or map or portions thereof adopted by Ordinance by the Council as provided in Ch. 44, Sec. 6, Laws of 1935 as hereafter amended (RCW 35.63.110).

1.5 Planning Commission shall be that Commission established by the Council of the City of Kirkland as provided in Ch. 44 Laws, 1935, as hereafter amended (Ch. 35.63. RCW) and Resolution No. 198.

1.6 A Proposed Plat is a preliminary plan of a plat, subdivision or dedication containing the elements and requirements as set forth in Section 5 hereof.

1.7 Public Highways includes every way, land, road, street, boulevard or place in the state open as a matter of right to public vehicular travel, both inside and outside the limits of cities and towns, and shall include country arterials, neighborhood streets and residential streets, some of which may or may not be portions of the highway system of the State of Washington.

1.8 Subdivider is any person, firm or corporation proposing to make, or have made, a plat.

1.9 Plat is an area of land, which has been divided into two or more lots, plots, tracts or other divisions of land, and may or may not include a map or maps related thereto, for the purpose, whether immediate or future, of transfer of ownership. Provided that this definition of a plat shall not include those divisions of land for agricultural purposes where each parcel is five (5) acres or more in area and which does not

include any new streets, easements, rights-of-way or other provisions for necessary public areas and facilities.

1.10 Tentative Approval is the official action of approval taken on the proposed plat by the Planning Commission, meeting in regular session.

1.11 Final Approval is the final official action of approval taken by the City Council on the proposed plat or portion thereof that has previously received tentative approval.

SECTION 2.

Enforcing Authority

2.1 The Planning Commission is designated and assigned the administrative and coordinating responsibilities contained herein, pursuant to the Laws of the State of Washington, Ch. 186, Laws of 1937, as hereafter amended, (RCW 58.16) for the approval or disapproval of plats.

SECTION 3.

Procedures

3.1 General: It shall be unlawful for any person, firm or corporation proposing to make or having made a subdivision or plat of land containing five (5) or more lots, plots or tracts or proposing to make or having made a subdivision or plat containing a dedication of any part thereof as a public street or highway, to enter into any contract for the sale of or to offer to sell said subdivision or plat or any part thereof, until he or it has obtained from the Planning Commission and City Council both the tentative and final approval of the proposed plat, subdivision or dedication in accordance with the prescribed rules and regulations contained herein. Provided, however, that nothing in this Section contained shall prevent the sale of said subdivision or plat in its entirety, as a single parcel of land.

3.1.1 The subdivider, his engineer, or land surveyor, while the proposed plat, subdivision or dedication is in sketch form and before the proposed plat, subdivision or dedication is prepared, shall consult with the Planning Commission for the purpose of ascertaining the requirements of the Comprehensive Plan or any implementations in whole or in part thereof, and obtaining any explanation of the rules and regulations herein contained as may be necessary and related to the proposed plat, subdivision or dedication.

3.1.2 The tentative approval of the proposed plat shall be effective for twelve (12) months, unless extended by the Planning Commission.

3.1.3 A final plat may be presented for final approval for any portion of a large subdivision when the proposed plat therefor has previously received tentative approval by the Planning Commission.

3.1.4 When the Planning Commission has ascertained that the public use and interest will be served and advanced by the proposed plat in accordance with rules herein contained, the Planning Commission shall execute its written approval, which shall be suitably inscribed on the final plat, subdivision or dedication, and then submitted to the City Council for final approval, which shall be suitably inscribed on the final plat, subdivision or dedication. After the approval of the City Council, the final plat, subdivision or dedication may be presented for filing for record to the County Auditor of the County of King, and after it has been filed for record, it shall be known as an authorized plat, subdivision or dedication of land.

3.2 Specific: Proposed Plat.

3.2.1 The proposed plat and application for "Tentative Approval" thereof shall be prepared by the developer, his engineer or land surveyor in accordance with the requirements for the proposed plat, as set forth in Section 5 hereof, and the proposed plat and the application shall be submitted to the City Clerk, who shall affix thereto the date it is received. The application and 10 prints of the proposed plat shall be submitted to the City Clerk four (4) weeks prior to the meeting of the Planning Commission, during which time the City Clerk shall transmit the copies of the proposed plat as required by Paragraph 3.2.2.

3.2.2 The City Clerk shall transmit one copy of the Proposed Plat to the City Engineer for his recommendations regarding the Proposed Plat and then three (3) copies to the members of the Planning Commission. When a State Highway, either existing or proposed, is affected by the Proposed Plat, one (1) copy of the Proposed Plat shall be transmitted to the District Highway Engineer for his recommendations. When the Proposed Plat is situated adjacent to the city limits, one copy each of the Proposed Plat shall be transmitted to the King County Engineer and to the King County Planning Commission for their recommendations.

3.2.3 The City Engineer and other Departments within the scope of their municipal functions, shall submit their respective recommendations in letter form to the City Clerk within a period of three (3) weeks from the day the City Clerk received the application for its approval.

3.2.4 The City Clerk shall transmit the application, the Proposed Plat and the respective recommendations of the City Engineer and other Departments to the Secretary of the Planning Commission at its regular meeting.

3.2.5 The Planning Commission shall examine the proposed plat to ascertain whether it conforms to the policies reflected by the Comprehensive Plan as implemented in part by the Zoning and Subdivision Ordinances.

3.2.6 Notice of public hearing to the Proposed Plat shall consist of at least three (3) copies of the Notice of Hearing posted in conspicuous places on or adjacent to the land proposed to be platted or subdivided, in which the time and place of such hearing is clearly indicated, all of which shall be posted not less than ten (10) days prior to the date of hearing. Notice of Public Hearing shall be published at least twice (2) prior to the time of the public hearing.

3.2.7 The Planning Commission will either tentatively approve or withhold tentative approval of the Proposed Plat, within a period of sixty (60) days after the City Clerk has received the application and the Proposed Plat. The subdivider and each of the municipal officers who received a copy of the Proposed Plat will be notified by letter of the Planning Commission's action. The letter will state specific objections and/or suggested modifications, prepared in accordance with the provisions herein contained.

3.2.8 If the Planning Commission withholds tentative approval of the Proposed Plat, such decision shall be final unless the owner files Notice of Appeal to the City Council with the City Clerk within 30 days of the Planning Commission's action. Upon receiving Notice of Appeal, the Council shall set a date for hearing of the subject, and shall notify the parties it deems most concerned. Following the hearing, the Council may follow the decision of the Commission or refer the subject to the Commission for their reconsideration and a subsequent report to the Council upon receipt of which the Council shall take final action upon the appeal within thirty (30) days.

3.2.9 If the proposed plat is approved by the Planning Commission, the subdivider, before requesting final approval, shall elect by a written statement furnished in duplicate to the Mayor, to carry out improvements in accordance with the standard plans and specifications of the City of Kirkland, by any of the following methods:

3.2.9.1 By furnishing the City of Kirkland with a bond in which assurance is given the City that the installation of the improvements will be carried out in accordance with the installation requirements, and under the supervision of the City Engineer. The amount of the Plat or Subdivision bond shall be determined by the City Engineer.

3.2.9.2 By actually installing the improvements in accordance with the installation requirements and under the supervision of the City Engineer, and under the procedures provided by the local improvement district laws of the State of Washington.

3.2.9.3 By actual installation of improvements in accordance with the installation requirements and under the supervision of the City Engineer.

3.2.9.4 By a combination of these methods.

3.2.10 The Subdivider may then make application for such permits from the City authorities as are necessary to proceed with the installation of improvements.

3.2.11 After satisfactory arrangements for the completion of all improvements have been made, the City Engineer and the Health Officer will each submit a letter in duplicate to the Planning Commission stating that the Subdivider has complied with the installation requirements of their respective Departments. The Planning Commission shall have the City Clerk transmit one (1) copy of each letter to the Subdivider, and the originals shall be retained by the Planning Commission.

3.3 Final Plat:

3.3.1 The Subdivider will submit to the City Engineer the Final Plat consisting of the original and five (5) copies prepared in accordance with the provisions of Section 6 hereof.

3.3.2 The Final Plat, when submitted, will be accompanied by separate certified checks or otherwise acceptable funds, to cover the cost of checking and filing. The amount of payment will be determined by the requirements of Section 4 hereof.

3.3.3. The City Engineer, after checking the Final Plat and after having been satisfied that all arrangements for required improvements have been completed in accordance with the provisions of Section 3.2.8, shall indicate his approval on the Final Plat and transmit the original tracing to the City Treasurer for his certificate. The original tracing shall then be transmitted to the Planning Commission for its certificate. The Planning Commission shall then transmit the original tracing to the Council for its final approval. The original tracing and five (5) copies of the Final Plat shall be transmitted to the following officials and officers by the City Clerk:

- a) The original tracing to the King County Auditor.
- b) One (1) copy to the King County Assessor.
- c) One (1) copy to the City Engineer.
- d) Three (3) copies to the power utility serving the area in which the plat is situated.

3.3.4 After the County Auditor has received and filed for record the Final Plat, it shall be known as an authorized plat of the land as provided in Ch. 186, Sec. 7, Laws of 1937, as hereafter amended (R.C.W. 58.16.060).

SECTION 4.

4.1 Checking Fee. All costs of checking shall be borne by the Subdivider. Minimum checking fees will be based on the following:

Base amount -	\$35.00
Each lot or enclosure -	4.00
Total minimum amount -	\$50.00.

4.2 Filing Fee. All costs of filing the Final Plat for record shall be borne by the Subdivider. The filing fees shall be as determined by the King County Auditor and shall be paid by a certified check, payable to the King County Auditor.

4.3 Presentation Fee: A presentation fee in the amount of \$50.00 shall be paid to the City of Kirkland at the time the Proposed Plat and application for "Tentative Approval" are submitted as required in Section 3.2.1. The presentation fee shall be non-returnable but shall be used as a credit against the checking fees required in Section 4.1.

SECTION 5.

Requirements of the Proposed Plat.

5.1 The Proposed Plat and ten (10) copies thereof shall be prepared by a registered professional civil engineer or land surveyor, to which shall be attached a written application addressed to the Planning Commission requesting tentative approval of the Proposed Plat.

5.2 A vicinity sketch at a scale of not more than 800 feet to the inch shall accompany the Proposed Plat. The vicinity sketch shall show all adjacent subdivisions, streets and other pertinent data by which the Proposed Plat may be located.

5.3 Horizontal scale of the Proposed Plat shall be 100 feet to the inch or less.

5.4 The Proposed Plat shall contain the following information:

5.4.1 The name of the Proposed Plat.

5.4.2 The names, addresses and telephone numbers of the Subdivider and surveyor or engineer.

5.4.3 The names and addresses of the owners of record of property contiguous to the proposed subdivision and within 300 feet of the property lines of the land covered by the proposed subdivisions.

5.4.4 The boundary lines, accurate to scales, of the tract to be subdivided.

5.4.5 The location, width, and names of all existing or platted streets or other public ways within or adjacent to the proposed

development and other important features, such as permanent buildings, water courses, major power transmission lines, railroads and section lines. ✓

5.4.6 Contours at intervals of 5 feet or less referenced to the United States Coast and Geodetic Survey datum. (King County Aerial Survey Elevations may be shown as the datum plane).

5.4.7 The tentative profiles and grades of each proposed street.

5.4.8 All parcels of land intended to be dedicated or temporarily reserved for public use or to be reserved in the deeds for the common use of property owners of the plat, with the purpose, conditions or limitations of such reservations clearly indicated.

5.4.9 The date, scale and the north point and meridian.

5.4.10 The source of water supply.

5.4.11 The method of sewage disposal.

5.4.12 The land use zoning classification - present and proposed.

5.4.13 All existing conditions shall be delineated. The location, width and names of all existing or prior platted streets or other public ways, railroads and utility rights-of-way, parks and other public open spaces, permanent buildings and structures, and section and municipal corporation lines within or adjacent to the tract shall be shown. In the case of a replat, the lots, blocks, streets, alleys, easements, parks, of the original plat being vacated shall be shown by dotted lines in their proper position in relation to the new arrangement of the plat; the new plat being clearly shown in solid lines so as to avoid ambiguity. Existing sewers and water lines, culverts or other underground facilities within the tract indicating pipe sizes, grades and exact location as obtained from public records shall be shown. Boundary lines of adjacent tracts of unsubdivided and subdivided land showing owners shall be indicated by dotted lines for a distance of 300 feet. Existing zoning of the proposed subdivision and adjacent tracts shall be shown.

SECTION 6.

Requirements for the Final Plat.

6.1 General: The map of the Final Plat, subdivision or dedication shall be submitted to the Planning Commission and contain the information herewith described:

6.1.1 Name of Subdivision.

6.1.2 Location by Section, Township and Range.

6.1.3 The name and seal of the registered civil engineer or the registered land surveyor.

6.1.4 Boundary of plat based on accurate traverse with bearings and lineal dimensions.

6.1.5 Exact location, width and names of all streets within and adjoining the plat and the exact location and width of all alleys and crosswalk ways or pedestrian ways. Proposed street names shall be checked with the City Engineer.

6.1.6 True courses and distances to the nearest established street lines for official monuments which shall accurately describe the location of the Plat.

6.1.7 Township and/or section lines accurately tied to the lines of the subdivision by distance and course.

6.1.8 Radial internal angles, points or curvature, transit bearings and length of all arcs.

6.1.9 All easements for rights-of-way provided for public services of utilities.

6.1.10 All lots and block numbers and lines with accurate dimensions in feet and hundredths. Blocks in numbered additions to subdivision bearing the same name may be numbered or lettered consecutively through the several additions.

6.1.11 The locations of all monuments shall be shown. Monuments must conform to the standard plans and specifications of the City of Kirkland. One such monument shall be placed at each street intersection and at locations to completely continuous line of sight and at such other locations as required by the City Engineer. Monuments in pavement shall have monument cases.

6.1.12 All plat meander lines or reference lines along bodies of water shall be established above the high water line of such water.

6.1.13 Accurate outlines and legal description of any areas to be dedicated or reserved for public use with the purposes indicated thereon and in the dedication; and of any area to be reserved by deed covenant for common uses of all property owners.

6.1.14 Street profiles shall be prepared on standard plan and profile paper and shall have shown a drainage layout which shall indicate the location and sizes of catch basins, culverts and other drainage structures, and shall be submitted for the approval of the City Engineer.

6.1.15 Plat meander lines. When a subdivision borders on a body of water, a plat meander line shall be established along the shore not more than 20 feet back from the ordinary high water mark of such body of water.

6.1.16 It is intended that all monuments shall be set after the grading of the streets. In case the plat be approved before the grading is completed, the grading shall be done and the monuments shall be set before the release of the road guarantee bonds.

6.1.17 A platting certificate issued by a Title Company shall be required. The expense of certificate shall be borne by Subdivider. The description shown on the plat shall conform in all respects to the description shown on the platting certificate.

6.1.18 All signatures shall be in India ink or other ink of equal density. No inter-lineations will be permitted.

6.1.19 The official seal of each corporation signing the Plat or subdivision shall be affixed to said Plat or subdivision.

6.1.20 The tracing of the Final Plat shall be prepared on a tracing cloth or tracing film 18" x 22" in size and shall allow 1/2" for border. If more than one sheet is required, each sheet, including the index sheet, shall be of the above specified size. The index sheet must show the entire subdivision with street and highway names and block numbers.

SECTION 7.

General Principles of Design and Minimum Requirements for the Lay-Out of Subdivisions.

7.1 Provisions of the Comprehensive Plan.

7.1.1 The Proposed Subdivision shall conform to the policies reflected by the Comprehensive Plan and shall provide for such requirements as are contained in the implementation of said Plan in part by the Zoning and Subdivision Ordinances.

7.1.2 The Subdivider shall make available for public acquisition such lands in the area to be subdivided as may, under the policies reflected by the Comprehensive Plan as implemented in part by the Zoning and Subdivision Ordinances, be desirable or are designated for Parks, playgrounds and public buildings.

7.1.3 Where the Comprehensive Plan and/or street plan indicates the necessity of a new right-of-way of a required width or portion thereof for street purposes in order to complete the articulation of the street pattern, whether within a new plat, new subdivision or along the boundaries of a new plat, new subdivision or new lot, such required right-of-way, or portion thereof, shall be dedicated to the City of Kirkland by the filing of a Plat.

7.1.4 Plats contiguous to lakes, streams or bodies of water must have lots or tracts larger than minimum, if necessary, in order to allow for septic tanks with their drain fields to be built not closer than 100 feet to such lake, stream or body of water, unless connection can be had to an approved sewage system or unless a different arrangement is approved by the City of Kirkland.

7.2 Street and Block Lay-Out:

7.2.1 Shall conform to the most advantageous development of adjoining areas, and the entire neighborhood, and shall provide for the following:

7.2.1.1 Street continuity of appropriate streets and arterials.

7.2.1.2 Streets intersecting at right angles, or as nearly so as possible.

7.2.1.3 Streets continuing to boundaries of tract.

7.2.1.4 Street jogs shall be prohibited.

7.2.1.5 All alleys shall be at least 20 feet in width.

7.2.1.6 Frontage on high volume traffic ways shall be provided with parallel service street or with approval of the City Engineer such other medium of access as may be appropriate to the conditions.

7.2.1.7 Where railroads are involved, provisions of grade separation, buffer strips and other protective treatment shall be required to the extent and type as need be practicable.

7.2.2 Blocks shall meet the following requirements:

7.2.2.1 The width of blocks shall normally provide for two tiers of lots, each of which shall have a minimum depth of 100 feet.

7.2.2.2 The length of blocks shall not exceed 1,320 feet.

7.2.2.3 In any block exceeding 660 ft in length, walks or pedestrian ways at a mid-block point shall be required, when determined to be essential by the Planning Commission to provide circulation or for utilities, the right-of-way of which shall be at least 10 feet in width.

7.2.2.4 The number of streets intersecting with the existing or proposed public highways as shown on the Plan, as set forth in Section 1.4, shall be held to a minimum. Whenever the topography and general characteristics of the area to be platted require blocks of more than 1,320 feet, such reason shall be listed and supported by the design of the plat, subdivision or dedication.

7.2.2.5 Blocks intended for business and industrial use shall be designed specifically for such purposes, with adequate space set aside for limited access, off street parking and delivery facilities.

7.3 Rights-of-Way of Public Highways, Roads, Streets and Alleys:

7.3.1 Right-of-way -- minimum width

- a) Primary highways - 100 feet*
- b) Secondary highways - 80 feet*
- c) Major streets - 60 feet*
- d) Minor streets - 50 feet*
- e) Alleys - 20 feet
- f) Crosswalk ways or pedestrian ways - 10 feet
- g) Easements (5 feet on each side of property line)

*Except in cases where the approved Street or Highway section of the Comprehensive Plan specifies a greater or lesser width as the minimum.

7.3.2 All dead end streets shall terminate in an appropriate turn around design having a minimum right-of-way diameter of 80 feet, unless the Planning Commission approves a "T" or "Y" shaped paved space in the place of a turning circle. Right-of-way for the "T" or "Y" shall not be less than 60 feet.

7.3.3 Easements for utilities provided along rear lot lines and along side lot lines shall be at least 10 feet wide. Such easements will have written approval of utilities companies or other interested agencies prior to acceptance of the final plat.

7.3.4 All roads and streets shall be improved in accordance with the requirements of Standard Plans and Specifications of the City of Kirkland.

7.4 Maximum Grades:

7.4.1 Major arterials, 7%.

7.4.2 All other streets, alleys, etc., the maximum grades shall not exceed 10% unless otherwise approved by the City Engineer.

7.4.3 Grades of pedestrian ways or crosswalks shall not be more than 10% unless steps designed in accordance with approved standards of the City Engineer are provided in the plans.

7.4.4 The minimum requirements for all vertical alignment, profile grade change shall be connected with a vertical curve which shall have a minimum sight distance of 1,000 feet on primary streets, 500 feet on secondary streets, and 300 feet on all others.

7.5 Minimum Curve Radii:

7.5.1 Major arterials - 200 feet.

7.5.2 All other streets, alleys and service drives, 100 feet.

7.6 Minimum Tangent distances between curves:

7.6.1 Major arterials, 200 feet.

7.6.2 All other streets, alleys and service drives, 100 feet.

7.7 Intersections:

7.7.1 At street intersections, property line corners shall be rounded by an arc, the minimum radii of which shall be 20 feet. In business districts, a chord may be substituted for such arc.

7.8 Lots:

7.8.1 The size, shape and orientation of lots shall be appropriate for the location of the proposed subdivision and for the type of development contemplated.

7.8.2 Excessive depth in relation to width shall be avoided. A desirable proportion of depth to width shall be 2 to 1.

7.8.3 Every lot shall abut on a street.

7.8.4 Width of lots at the building line shall conform to the requirements of the zoning ordinance. All lots shall have a minimum width at the street line of 30 feet.

7.8.5 Lots, except corner lots, having frontage on two streets, should be avoided.

7.8.6 Side lot lines shall be at right angles to the right-of-way line of the street on which the lot faces, whenever possible.

7.8.7 Corner lots for residential use shall be platted wider than interior lots to provide the front yard requirements on the side street as prescribed by the zoning ordinance.

SECTION 8

Site Improvements

8.1 The developer shall submit to the City Engineer profiles of the proposed streets, drainage plans and right-of-way section drawings for approval before the ground work is started. The City Engineer shall have supervision over said work and shall inspect the same and report thereon in writing to the City of Kirkland Planning Commission.

8.2 No plat shall be granted final approval until water and sewer improvements together with each and all of the water, sewer and street improvements shown on said plat shall first be completed at the expense of the

developer, in accordance with the current City of Kirkland standard specifications for private work on City rights-of-way and approved by the City Engineer. Provided, however, that in lieu of full compliance herewith prior to the final improvement of such plat, the platator may deposit a performance bond with the City of Kirkland as a guarantee that said developer, will, within one year from the date of final approval of said plat, fully comply with all of the requirements herein set forth to the satisfaction of the City Engineer. The amount of said performance bond shall be equal to the cost of completion of all of said improvements as estimated by the City Engineer.

8.3 In all subdivisions the areas of the street right-of-way which are outside the road ditches or curbs, shall be graded to the profile of the road to provide walkways for pedestrians.

SECTION 9

Miscellaneous

9.1 Procedure and Authority for Granting Modifications and Variations:

Where pre-existing physical conditions characteristic of the land within a proposed plat, require in the opinion of the developer, a modification or variation from any of the provisions herein contained, the subdivider may make application therefor to the planning commission. Such application must be filed at the time the proposed plat is submitted, pursuant to Section 3.2.1 hereinabove, and shall include a specific request as to each provision sought to be varied or modified, together with any and all supporting details. A complete engineering statement shall be prepared by the City Engineer in reference to each said request. The Planning Commission shall hear the application and act on each request during its examination of the proposed plat under the procedures set forth in Section 3 above.

9.2 Penalties: Whenever any person or persons, firm or firms, or one or more corporations at various and successive times, or at any time, shall have platted, subdivided or divided into small & parts, any parcel of land or property into five or more such lots, plots, tracts or smaller parts, the area of each of which is less than five acres and is held in one ownership, either by contract for purchase, by deed or by both, after the time of the adoption of this Ordinance, and has failed to comply with the provisions of this Ordinance, shall be subject to a fine in a sum not to exceed \$300. for each of said lots, plots, tracts or small parts, or imprisonment in the City Jail for a period not to exceed 90 days for each such lot, plot, tract or smaller part, or both such fine and imprisonment, in the discretion of the Court. The City Council may initiate an action to enjoin any transfer, sale, agreement, or option by making application for an injunction in the Superior Court, and/or the City Council may recover said penalty for the City of Kirkland by a civil action in any Court of competent jurisdiction, if, in the opinion of the City Council, either of said actions is justifiable.

9.3 Conflict: All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

9.4 Validity: Should any section, subsection, paragraph, sentence, clause, or phrase of this ordinance be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

9.5 Title of Ordinance: This Ordinance shall be known as the "Subdivision Ordinance".

9.6 Effective Date: This Ordinance shall be in full force and effect 5 days after its passage, approval and legal publication as provided by law.

Introduced
Passed this 17 day of April, 1961.

Passed &
Approved this 1 day of May, 1961.

[Signature]
Mayor

Attest:
[Signature]
City Clerk

Approved as to Form:
[Signature]
City Attorney

I hereby certify that the foregoing is a true and correct copy of an Ordinance of the City of Kirkland and that the same has been published or posted according to law, said Ordinance being No. 834 and entitled "A. Ordinance as above."
[Signature], City Clerk.