

**Chapter 18.070****ENFORCEMENT****18.070.010 Enforcement Authority.****18.070.020 Compliance.****18.070.030 Penalties.****18.070.040 Permit or Approval.****18.070.050 Notice of Violation.****18.070.010 Enforcement Authority.**

It shall be the duty of the City and all officers of the City to enforce this Subdivision Code. Any condition imposed as part of an approved subdivision case shall also be enforceable by the appropriate City officials. (Ord. 6968 §1, 2007)

**18.070.020 Compliance.**

No person shall sell, lease or finance any parcel or parcels of real property or commence construction of any building for sale, lease or financing thereon, except for model homes, or allow occupancy thereof, for which a final map or parcel map is required by this Title or the Subdivision Map Act, until said final map or parcel map in full compliance with this Title and the Subdivision Map Act has been filed for record with the Riverside County Recorder. (Ord. 6968 §1, 2007)

**18.070.030 Penalties.**

Each violation of this Title and the Subdivision Map Act by a person who is the subdivider or an owner of record, at the time of the violation, of property involved in the violation shall be punishable by imprisonment in the county jail not exceeding one year or in the State prison, by a fine not exceeding ten thousand dollars (\$10,000), or by both that fine and imprisonment. Every other violation of this Title and the Subdivision Map Act is a misdemeanor (California Government Code §§ 66499.31). (Ord. 6968 §1, 2007)

**18.070.040 Permit or Approval.**

- A. No permit shall be issued or approval granted necessary to develop any real property which has been divided, or which has resulted from a division in violation of the Subdivision Map Act or this Title if it is determined that development of such real property is contrary to public health or the public safety. The authority to deny such a permit or such approval shall apply whether the applicant was the owner of the real property at the time of such violation or whether the applicant is the current owner of the real property with, or without, actual or constructive knowledge of the violation at the time of the acquisition of said applicant's interest in such real property.
- B. If a permit or approval is granted, such additional conditions as would have been applicable to the division of the property at the time the current owner of record acquired the property may be imposed. (Ord. 6968 §1, 2007)

**18.070.050 Notice of Violation.**

- A. Notice of Intention.

Upon determination that real property has been divided in violation of the provisions of the Subdivision Map Act or this Title and an application is not

pending for a Certificate of Compliance pursuant to [Chapter 18.120 Certificates of Compliance](#), the Zoning Administrator shall cause to be mailed by certified mail to the then current owner of record of the property a notice of intention to record a notice of violation, describing the real property in detail, naming the owners, and stating that an opportunity will be given to the owner to present evidence. The notice shall specify a time, date and place for a meeting of the Planning Commission at which the owner may present evidence to the Planning Commission why the notice should not be recorded. The notice shall also contain a description of the violations and the explanation as to why the subject parcel is not lawful. The date set for the meeting before the Planning Commission shall be no sooner than thirty (30) days and no later than sixty (60) days from the date of mailing of the notice of intention.

B. Planning Commission Meeting; Notice of Violation.

If at the scheduled hearing, the owner of the real property fails to object to recording the notice of violation, the Planning Commission shall direct the recording of the notice of violation with the County Recorder. If, after the owner has presented evidence, it is determined that there has been no violation, the Zoning Administrator shall mail a clearance letter to the then current owner of record. If, however, after the owner has presented evidence, the Planning Commission determines that the property has in fact been illegally divided, the Planning Commission shall direct the recording of the notice of violation with the Riverside County Recorder. The notice of violation, when recorded, shall be deemed to be constructive notice of the violation to all successors in interest in such property. (Ord. 6968 §1, 2007)