

Chapter 16.08

PROCEDURE

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Article I. Preliminary Plan

16.08.010 Preparation to be made by licensed engineer – Contents.

The preliminary plan of a development shall be prepared by a state licensed engineer or surveyor and shall contain the following information:

- A. The proposed name of the development;
- B. The location of the development as a part of some larger tract of land and, by reference to permanent survey monuments, with a tie to a section corner or a quarter-section corner;
- C. The names and addresses of the developers and owners, the designer of the development, the engineer or surveyor, if any, and a reasonably accurate designation of the owners of adjacent undeveloped property;
- D. The location and principal dimensions for all existing or recorded section lines, streets, alleys, easements, water courses, public utilities, and other important existing features within and adjacent to the tract to be developed;
- E. The location and principal dimensions for all proposed streets, alleys, easements, lot lines and areas to be reserved for public use;
- F. The date of preparation, scale (not less than two hundred (200) feet to the inch) and north sign (designation as true north);
- G. Contours at town datum at vertical intervals of not more than two feet where the slope is less than ten percent and not more than five feet where the slope is more than ten percent;

H. The acreage of the land to be developed;

I. The preliminary plan must be approved by the Wyoming State Department of Environmental Quality prior to its submission to the town and proof of this prior approval shall be shown by appropriate documentation which shall be submitted to the town at the time of filing of the preliminary plan (Prior code § 16-108)

16.08.020 Filing.

The developer under this title or his representative shall file three copies of a preliminary plan with mayor. (Prior code § 16-109)

16.08.030 Notice to parties of hearing.

The mayor shall notify the developer under this title of the time and place of a hearing before the mayor on the preliminary plan not less than three days before the date fixed for the hearing. Notice of hearing in the form of a first class letter, shall be mailed to the owners of undeveloped land immediately adjoining the area proposed to be developed, as shown on the preliminary development plan, and notice of the hearing regarding the proposed development shall also be given to public or private utility offices serving the area and to the public school district. Although the list of persons notified of the hearing shall be reasonably accurate, failure to contact all adjoining landowners and utility and school officials shall not invalidate the hearing procedure. (Prior code § 16-110)

16.08.040 Approval or disapproval by mayor.

After hearing on the preliminary plan for a development, the mayor, shall approve, disapprove or approve subject to modification, the plan. If approved, the mayor shall affix his signature to the plan. If recommended for approval with modification or disapproved, the mayor shall attach to the plan a statement of the reasons for such action. In any case, a notation of the action taken and requisite reasons therefore shall be entered in the records of the town. (Prior code § 16-111)

16.08.050 Approval or disapproval by town council to developer.

The town council shall act on the recommendation for the mayor concerning a preliminary plan within thirty-two (32) days after the mayor's recommendation is formally presented to the town council. The town council shall be approved, approved with modifications or disapproved and shall give notice of its decision to the developer. If approved, the members of the council shall affix their signatures to the plan. If approved with modifications or disapproved, there shall be attached to the plan a statement of the reasons for such actions signed by the members of the town council. (Prior code § 16-112)

Article II. Final Plan

16.08.060 Drawings and signatures- Dimensions.

All drawings and signatures on a final plan shall be in conformance with state law. (Prior code § 16-113)

16.08.070 To be submitted with engineering drawings, construction plans, etc.

The final plan shall be accompanied by the engineering drawings, construction plans, agreements or bonds as may be specified by the town council in accordance with the provisions of Section 16.16.020 of this title. (Prior code § 16-114)

16.08.080 Required contents of final plan.

The final plan shall incorporate all changes or modifications required by the town council. It shall conform to the requirements of the laws of the state. It shall contain all of the information required for the preliminary plan, except contour lines, plus the following:

A. Accurate dimensions for all lines, angles and curves used to described boundary streets, alleys, easements, arrears to be dedicated for public use and other important features;

B. An identification of all lots and blocks, names of streets;

C. A good and sufficient dedication of all of the streets, alleys, easements, parks and other public areas as shown on the plan to the public;

D. A certification by a state licensed surveyor as to the accuracy of the survey and drafting of the plan;

E. Certifications for approval of the plan by the mayor and approval and acceptance of the plan by the town council'

F. Certification for recording the book, page, date and instrument number where the plan is recorded in the office of the county clerk and ex-officio register of deeds;

G. Certifications for approval of the plan by the County Commissioners of Carbon County, Wyoming. (Prior code § 16-115)

16.08.090 Filing with mayor- Approval or disapproval by mayor.

After receiving notice of the action of the town council approving the preliminary plan, if a developer desires to proceed, he shall file three copies of the final plan with the mayor. The mayor shall act on the final plan within thirty (30) days after official filing, unless the time is extended by agreement with the developer or his agent. The mayor shall recommend to the town council whether the final plan shall be approved or disapproved. If recommended for approval, the mayor shall affix his signature to the plan. If disapproved, the mayor shall attach to the plan a statement of the reasons for such action. In any case, a notation of the action taken and requisite reasons therefore shall be entered in the records of the town. (Prior code § 16-116)

16.08.100 Review by mayor and town attorney.

Before a final plan which has been recommended for approval by the mayor shall be presented to the town council, engineering design plans and a development improvement agreement bond, as described in Section 16.16.020 of this title, shall be reviewed by the mayor and town attorney. (Prior code § 16-117)

16.08.110 Approval or disapproval by town council.

The town council shall act on the final plan within thirty-two (32) days after the plan is presented to the council. If no action is taken by the town council within thirty-two (32) days or a longer period as may have been agreed upon, the final plan shall be deemed approved. If the final plan is approved and all necessary development agreement forms, bonds and engineering plans are also approved by the town council, the council members shall affix their signatures to the plan. If disapproved, the council shall attach to the plan a statement of the reasons for such action. (Prior code § 16.118)

16.08.120 Final acceptance- Prerequisite to issuance of building permits- Exception.

The town council shall not issue building or repair permits for any structure on a lot in a development for which a final plan has not been approved in the manner prescribed in this title. It shall be the responsibility of the mayor

to check that all work is being performed in accordance with the plans. However, it is the sole responsibility of the developer or contractor that a work shall be done according to the final plans and acceptance by the mayor shall not relieve any developer of this responsibility. Any variance in final plan not approved in writing shall be corrected by developer at developer's expense within three months of written notification. (Prior code § 16-119)

16.08.130 Final acceptance- Prerequisite to street improvements etc. by town.

The town shall withhold all public street improvements and services of whatsoever nature, including maintenance from all areas which have not been accepted by the town council in the manner prescribed in this title or by other official actions of the town council. (Prior code § 16-120)