

Chapter 16.16

IMPROVEMENTS

Sections:

16.16.010 Required improvements-Enumerated.

16.16.020 Completion or agreement with town to guarantee completion-Off-site improvements.

16.16.010 Required improvements-Enumerated.

No final plan of any development of land shall be approved by the town council, unless it is possible without undue delay for the following improvements:

A. Grading, drainage and drainage structures necessary to the proper use, safety, and drainage of streets and highways;

B. Gravel material and thickness shall be a minimum four inch compacted sub-base;

C. Water mains and fire hydrants of a size, type, and at a location uniform in pattern and design historically used in the town;

D. Sanitary sewer facilities and connections for each living unit shall be provided. Stubs from public utilities where provided and from sanitary sewers shall be made available for each lot in such manner as will obviate the necessity for disturbing the street

pavement, gutter, culvert, and curb when sewer line connections are made;

E. Street name signs uniform in design and pattern as those historically used in the town shall be installed at all street intersections. The developer shall bear the total expense in the purchasing and installation of all required street name signs;

F. Barricades and reflectors shall be provided along the ends of all dead-end or with-out turn-around streets, and at the ends of culverts and other dangerous areas;

G. Permanent survey monuments shall be set at all development boundary corners in such locations so as not to be disturbed during construction. Permanent survey monuments shall also be placed on each lot corner P.C. and P.T., shall be five-eighths inch rebar with aluminum cap and shall be marked with the identity of the corner and name of the surveyor. Such monuments shall either be concrete at least thirty-six (36) inches in length and four inches square with suitable permanent center point, or a thirty (30) inch by two and one-half inch iron pipe with brass cap;

H. The developer shall make such other improvements as needed when deemed necessary by the town council to preserve the public health, safety or welfare;

I. If sewer and water facilities are not available adjacent to the proposed development, it shall be the responsibility of the developer to extend such lines in a manner satisfactory to the town council. The town shall pay the cost of extending the water and sewer main one block in accordance with chapters 13.04 and 13.08 of this code and their amendments. Where such lines may benefit existing developments, the

town council can make such a determination and if deemed necessary, may partially finance or make other arrangements as need to assist in such construction. (Prior code § 16-04)

16.16.020 Completion or agreement with town to guarantee completion- Off-site improvements.

Before the town council shall accept a final plan of a development, the developer or owner shall have laid out and constructed all improvements specified by the town council for completion at such time; or in lieu thereof, the developer or owner shall have entered into a written agreement with the town, wherein the developer shall agree to make such improvements and, when required by the town council, shall have deposited a bond with sufficient sureties thereon approved by the town, guaranteeing his faithful performance of his covenants therein made within a twelve (12) month period from issuance of the first building permit in the development, or have deposited sufficient funds in escrow with the town to cover one hundred fifty (150) percent of the present cost of such improvements. If a deposit is made and the improvements are not completed within a twelve (12) month period from issuance of the first building permit in the development, the town may apply the funds to complete the improvements. The bonds or funds guaranteeing the performance of the developers' covenants shall be in an amount at least equal to one hundred fifty (150) percent of then current cost of performing the

covenants therein made by the developer, as such costs are determined by the town council. If the agreement requires the developer to construct off-site improvements and the council shall find that other properties shall be benefited by such improvements, the agreement shall contain a proviso that the town shall not permit the owners of property so benefited to avail themselves of the improvements, until they shall have reimbursed the developer, on an equitable basis to be determined by the council, for their pro rata share of the original cost of the improvements; provided, that no such reimbursement shall be required unless developer shall have furnished the mayor a certified statement of the original cost of the improvements within thirty (30) days after completion thereof; and provided further that the developer's right to reimbursement shall terminate not later than ten years from the date of completion of the specific improvement for which reimbursement is sought. (Prior code § 16-105)