

**9-101. Petitions.** If the subdivider intends to submit petitions to the governing body as the means to guarantee the improvements required by Article 8 of these regulations, the subdivider shall so advise the appropriate engineer at the time of the preliminary plat. If the petition method is authorized by the appropriate engineer, petitions shall be submitted to that engineer for forwarding to the appropriate governing body. For petitions to be acceptable guarantees, they must be approved by the governing body concurrently with the final plat. If petitions are rejected by the appropriate governing body, then a platting requirement has not been met and the subdivision shall not be approved by the governing body. In this instance, the plat shall be placed on hold until such time as the applicant has resolved his financial obligations, or has selected another acceptable guarantee method (i.e., cash deposit, actual construction, letter of credit or performance bond).

**9-102. Final Improvement Plans.** When the use of petitions has not been authorized by the appropriate engineer, or proposed petitions have been rejected by a governing body, the subdivider shall have a licensed professional engineer prepare engineering drawings for the required improvements. The engineering drawings shall contain all data and information specified in Section 9-103 of these regulations. The drawings shall be certified by a licensed professional engineer. A blueline copy of the drawings shall be submitted to the appropriate engineer at least thirty (30) days prior to the date that a governing body considers the subdivision proposal. A reproducible copy (vellum or mylar) of the drawings shall be submitted to the appropriate engineer at least seven (7) days prior to the date that a governing body considers the subdivision proposal. Failure to provide the appropriate engineer with at least thirty (30) days time to review and approve engineering drawings will be considered automatic consent to an extension of, or a waiver by the subdivider of, any time limitation for subdivision approval. The subdivider may contract with any governmental agency or public utility company to prepare the required engineering drawings.

The engineer having jurisdiction may waive the requirement for submission of final improvement plans, prior to the plat being considered by the governing body if, in the engineer's opinion, adequate substitute information has been submitted. In this instance, information shall be submitted that permits a determination of expected costs for both the preparation of final improvement plans and the installation of required improvements. The guarantee submitted shall be of a sufficient dollar amount to cover the costs of plan preparation and improvement construction.

**9-103. Content of Engineering Drawings.** Engineering drawings for required improvements shall contain the following data and information:

- (A) Plans, details, specifications and cost estimates for roadway and sidewalk construction, including plans, survey indicating existing topography and elevation, including curb and sidewalk elevation, intersection control elevation and paving geometrics for each street with a typical cross section of the roadway. This information shall be shown on standard plan and profile sheets unless otherwise required by the appropriate engineer.
- (B) Plans, profiles, details, specifications and cost estimates of proposed storm drainage improvements.

- (C) Plans, profiles, details, specifications and cost estimates of proposed water distribution systems and proposed water supply facilities and water hydrants, if any.
- (D) Plans, profiles, details, specifications and cost estimates of sewage systems and of sewage treatment plants, if any.
- (E) Grading plans for all lots and other sites in the subdivision.
- (F) When unusual site conditions exist (e.g. high groundwater), the appropriate engineer may require such additional plans, specifications, and drawings as may be necessary for an adequate review of the improvements to be installed.
- (G) All plans shall be based on North American Vertical Datum of 1988 (NAVD 88) for vertical control.
- (H) All plans for underground and overhead wiring and gas lines shall be prepared by, or at the direction of, the utility involved.

**9-104. Review of Plans.** The appropriate engineer, official or agency responsible for determining specifications and standards referred to in Section 8-103 shall review all engineering drawings in order to determine whether the drawings are consistent with the approved preliminary plat and comply with their design standards. If the drawings are consistent with the preliminary plat and comply with design standards, the reviewing official shall so notify the Planning Commission. In the event that the drawings do not conform or comply, the reviewing official shall notify the subdivider of the specific defects of the drawings so they may then correct the drawings. If the drawings are not corrected, the reviewing official shall forward to the Planning Commission a notice outlining the item of nonconformity or noncompliance.

**9-105. Construction of Improvements.** Improvements shall not be constructed nor shall any work preliminary to improvement construction be done until such time as a final plat and the required engineering drawings have been approved and there has been compliance with all of the requirements relating to an agreement, bond and deposit specified in Section 8-105 of these Regulations.

**9-106. Inspection.** All improvements constructed shall be subject to inspection by the appropriate engineer or official responsible for setting and enforcing the applicable design and construction standards of the required improvement. The cost attributable to all inspections required by this regulation shall be charged to and paid by the subdivider. Before any required inspections take place, the subdivider may be required to post a deposit with the appropriate official or such agency entrusted to keep the security for the official, to cover the cost of the inspections. The subdivider shall give at least forty-eight (48) hours written notification to the official prior to the performance of any of the following work:

- (A) All phases of roadway and sidewalk construction.
- (B) All phases of construction in public rights-of-way including, but not limited to water lines, sanitary sewer lines, storm sewer, underground wiring and other required improvements.

**9-107. Inspection Procedures.** After notice is received as specified in Section 9-106, the official designated in Section 9-106 may conduct an on-site inspection to determine if the work complies with the approved engineering plans and specifications. If in the opinion of the official the work does not comply with the final drawings, they shall have authority to order that the work be terminated until such time as necessary steps are taken to correct any defects or deficiencies. Upon the correction of the defects or deficiencies, the subdivider shall again notify the official designated in Section 9-106.

**9-108. Final Inspection.** Upon completion of all improvements within the area covered by the final plat, the subdivider shall notify the official designated in 9-106, who shall then conduct a final inspection of all improvements installed. If the final inspection indicates that there are defects or deficiencies in the improvements as installed or if there are any deviations in the improvements as installed from the final engineering plans and specifications, the official shall notify the subdivider in writing of the defects, deficiencies or deviations. The subdivider shall, at their sole cost and expense, correct the defects or deviations within six (6) weeks of the date of notification.

When the defects, deficiencies or deviations have been corrected, the subdivider shall notify the designated official that the improvements are, again, ready for final inspection. After the final inspection is made and before acceptance of the improvement by the governing body, the subdivider shall file an affidavit with the appropriate engineer certifying that all obligations incurred in the construction of the improvement involved have been properly paid and settled. The affidavit shall be executed by the subdivider.

**9-109. Report to the Governing Body.** If a final inspection verifies that all installed improvements are free from defects and deviations, the official designated in Section 9-106 shall certify to the governing body that all improvements have been properly installed. The receipt of the certification by the governing body shall establish the date the 24-month period specified in Section 8-105 (A)(3) shall commence.

**9-110. Acceptance of Improvements.** Upon the receipt by the governing body of the certificate of the official that all improvements have been installed in accordance with the approved engineering drawings, and the requirements of this regulation and all other applicable statutes, ordinances and regulations, the governing body shall by Resolution formally accept the improvements. The improvements shall become the property of the governing body involved.

**9-111. As Built Plans.** Upon the completion of all improvements within the perimeter of the final plat and prior to acceptance of improvements by the governing body the subdivider shall furnish "as built" plans for streets, stormwater, drainage facilities, sanitary sewers, and easement grading, to the official designated in 9-106. The plans shall be certified by a licensed professional engineer.