

City of Argo Ordinance #297

**Subdivision Regulations
City of Argo, Alabama**

**Prepared by
City of Argo Planning Commission**

Approved by Argo Planning Commission

On April 11, 2024

Adopted by Argo City Council

On April 22, 2024

Planning Commission

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TABLE OF CONTENTS

ARTICLE I	PURPOSE AND TITLE
Section 1.0	Purpose
Section 1.1	Title
ARTICLE II	AUTHORITY AND JURISDICTION
Section 2.0	Authority
Section 2.1	Jurisdiction
Section 2.2	Administration
Section 2.3	Separability and Severability
Section 2.4	Amendments
Section 2.5	Interpretation
ARTICLE III	DEFINITIONS
Section 3.0	General
Section 3.1	Specific Definitions
ARTICLE IV	PROCEDURE FOR PLAT APPROVAL
Section 4.0	General
Section 4.1	Preliminary Plat Approval
Section 4.2	Final Plat
Section 4.3	Approval of Minor Subdivisions
Section 4.4	Building Identification
ARTICLE V	DESIGN AND CONSTRUCTION STANDARDS
Section 5.0	Conformity to Comprehensive Plan
Section 5.1	Street Plan
Section 5.2	Mountain Terrain Residential Construction Regulations
Section 5.3	Site Preparation
Section 5.4	Fill Soil Testing
Section 5.5	Evaluation of Cut Areas
Section 5.6	Undercutting of Cut Areas
Section 5.7	Field CBR of Exposed Cut Areas
Section 5.8	Topography and Arrangement
Section 5.9	Private Reserve Strips
Section 5.10	Half-Streets
Section 5.11	Right-of-Way and Pavement Widths
Section 5.12	Base Course Construction
Section 5.13	Asphalt Layer Construction
Section 5.14	Pavement Thickness
Section 5.15	Course Aggregate for Binder and Seal Gradations
Section 5.16	Traffic Considerations
Section 5.17	Pavement Overlay Sections
Section 5.18	Special Considerations For Trench Backfill
Section 5.19	Drainage Structures
Section 5.20	Slopes
Section 5.21	Grassing
Section 5.22	Street Grades
Section 5.23	Alignment and Visibility
Section 5.24	Intersections

Section 5.25	Cul-De-Sacs
Section 5.26	Alleys
Section 5.27	Street Names
Section 5.28	Street Signs
Section 5.29	Streets in Non-Residential Subdivisions
Section 5.30	Sidewalks, Curbs, and Gutters
Section 5.31	Blocks
Section 5.32	Lots
Section 5.33	Easements
Section 5.34	Drainage and Inundation
Section 5.35	Storm Water Management
Section 5.36	Erosion and Sedimentation
Section 5.37	Protection of Property
Section 5.38	More Restrictive Rules Shall Apply
Section 5.39	Basic Control Objectives
Section 5.40	Mandatory Standards
Section 5.41	Design and Performance Standards
Section 5.42	Borrow and Waste Areas
Section 5.43	Access and Haul Roads
Section 5.44	Operation in Lakes and Natural Watercourses
Section 5.45	Responsibility for Maintenance
Section 5.46	Standards for Erosion and Sediment Control Practices
Section 5.47	Additional Measures
Section 5.48	Additional Means of Ingress and Egress
Section 5.49	Plan Requirements

ARTICLE VI

REQUIRED IMPROVEMENTS

Section 6.0	General
Section 6.1	Streets and Alleys
Section 6.2	Centerline Striping
Section 6.3	Fire Hydrants
Section 6.3.1	General
Section 6.3.2	Distribution and Installation
Section 6.3.3	Specifications
Section 6.3.4	Fire Hydrant Guard Posts
Section 6.3.5	Blue Reflective Pavement Markers for Hydrant Location

ARTICLE VII

GUARANTEE OF COMPLETION OF IMPROVEMENTS

Section 7.0	General
Section 7.1	Financial Guarantee of Performance when Improvements are Completed before Final Plat Approval
Section 7.2	Financial Guarantee of Performance when Improvements are Not Completed before Final Plat Approval

ARTICLE VIII

GUARANTEE AGAINST FAULTY MATERIAL

Section 8.0	General
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ARTICLE IX

VARIANCES

Section 9.0	Hardship
Section 9.1	Large Lot Subdivisions

ARTICLE X

PENALTIES FOR TRANSFERRING LOT IN UNAPPROVED SUBDIVISION

APPENDIX A

WATER REQUIREMENTS

Section A1.0	Water Mains
Section A1.1	Pipe Size and Type
Section A1.2	Tapping Unconnected Water Mains in New Subdivisions
Section A1.3	Tapping Onto Existing City Water Mains
Section A1.4	Inspections and Inspection Fees
Section A1.5	Maintenance and Warranty
Section A1.6	Rebate and Recovery
Section A1.7	Disinfections, Check Samples, Pressure Testing
Section A1.8	Engineering

APPENDIX B

SEWER REQUIREMENTS

Section B1.0	Gravity Flow in New Subdivisions
Section B1.1	Inspection
Section B1.2	Engineering
Section B1.3	Pipe Size and Type Mains
Section B1.4	Pipe Size and Type-Service Laterals
Section B1.5	Tapping Unconnected Sewer Mains in Subdivisions
Section B1.6	Maintenance and Warranty
Section B1.7	Tapping Onto and Existing Main
Section B1.8	Rebate and Recovery

APPENDIX C

CERTIFICATES

Form 1	Owner's Certificates
Form 2	Surveyor's Certificates
Form 3	Certification of Approval of Water and Sewage Systems
Form 4	Certificate of Approval for Recording
Form 5	Performance Bond
	Attest
Form 6	Mortgage Release
Form 7	City Council Acceptance of Public Dedication
Form 8	Septic Tank Certification
Form 9	Certificate of City Clerk

APPENDIX D

Form 10	Preliminary Plat Checklist
Form 11	Final Plat Checklist

APPENDIX E

	Residential Street Curb and Gutter Section
	Industrial Streets and Main Thoroughfares
	Service and Rural Development Subdivision Roads
	Standard Driveway (Residential)
	Typical Ditch Sections
	Residential Street Valley Gutter Section
	Special Commercial Entrances-Type 1
	Special Commercial Entrances-Type 2
	Private Entrances, Residential-Type 1
	Dissipater Headwall
	Single Wing Inlet

ARTICLE I

PURPOSE AND TITLE

Section 1.0 Purpose

The regulations contained herein have been formulated and adopted for the purpose of promoting the health, safety, and the general welfare of the people of the City of Argo. It is the intent of these regulations to harmoniously relate the development of the various tracts of land to the existing community and to obtain the best design possible for each tract of land being subdivided. Also, community interest requires the regulation and control of development to insure reasonable protection of property values, and to promote a healthy environment for the citizens of Argo.

Section 1.1 Title

These regulations shall be known as the "Official Subdivision Regulations of the City of Argo, Alabama, 2024".

ARTICLE II

AUTHORITY AND JURISDICTION

Section 2.0 Authority

Under the applicable provisions of Sections 11-52-30 and those following of Title 11 of the 1975 Code of Alabama, which provisions are hereby made a part hereof, these following regulations governing the Subdivision of land are hereby adopted by the Planning Commission, City of Argo, Alabama. A copy of these regulations shall be certified to the Probate Judge of St. Clair County, Alabama and the Clerk of the City of Argo, Alabama.

Section 2.1 Jurisdiction

From and after the date of adoption, these regulations shall govern each and every subdivision of land within the corporate limits for the City of Argo, Alabama, as well as all contiguous *unincorporated* land area lying within 1 mile in all directions from the Cities corporate limits. Any owner of land lying within the area of jurisdiction of these regulations who wishes to divide such land into two (2) or more lots, sites, or divisions shall submit a plan of such proposed subdivision to the Argo Planning Commission for approval. No sub-divider may proceed with any improvements or the sale of lots in a subdivision until such subdivision plat shall have been approved by the Planning Commission and such approval entered in writing on the plat by both the Chairman of the Planning Commission and the Mayor/Council, and said plat is filed for record in the Office of the Probate Judge of St. Clair County, Alabama.

Section 2.2 Administration

The Argo Planning Commission is hereby authorized and directed to administer and coordinate these regulations. Final approval of plats and other data shall be the responsibility of the Planning Commission as prescribed by State Law. The Planning commission or his/her designee or other authorized representative of the City where / when applicable is hereby authorized and directed to enforce all provisions of these subdivision regulations.

Section 2.3 Separability and Severability

The provisions of the Act are severable. Should any article, section, subsection, or provision of these regulations be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of these regulations as a whole or any part thereof other than the part so declared to be invalid or unconstitutional.

Section 2.4 Amendments

The Planning Commission may from time to time adopt amendments that will tend to increase the effectiveness of these regulations or expedite the approval of subdivision plats. These regulations and amendments thereto may be amended by the Planning Commission after a public hearing and by giving due notice as required by law.

Section 2.5 Interpretation

These subdivision regulations shall be interpreted in a reasonable manner by the Planning Commission with the intent of these regulations dictating said interpretation.

It is further acknowledged by the Planning Commission inadvertent ambiguities or irregularities within these subdivision regulations may exist due to the evolution of development practice, the staff employed by the City, or otherwise. As set forth above, such inadvertent ambiguities shall be resolved pursuant to the intent of these regulations as interpreted by the Planning Commission.

Strictly as an example and without limiting the foregoing, where these regulations reference a "Homeowner's Association," if such a formal / legal "Association" is not established, said reference shall be applicable to the homeowners in an applicable area.

ARTICLE III

DEFINITIONS

Section 3.0 General

Except as otherwise provided herein, all words shall have the customary dictionary meaning. The present tense includes the future tense. The singular number includes the plural, and the plural includes the singular. The word "Person" includes a firm, corporation, association, organization, trust or partnership. The word "lot" includes "plot" or "parcel." The word "building" includes "structure." The word "shall" is mandatory. The word "may" is permissive.

Section 3.1 Specific Definitions

When used in these regulations, the following words and phrases shall have the meaning given in this section:

- A. **Alley-** A minor public way having a narrow right-of-way and affording a secondary means of access to service abutting properties.
- B. **Application-** The act of initially submitting a plan to the Planning Commission.
- C. **Block-** A tract or parcel of land entirely surrounded by public highways or streets, other than alleys.
- D. **Building Inspector-** The person duly designated by the City to inspect buildings and subdivisions within the City's corporate limits and jurisdiction.
- E. **Building Setback line-** A line parallel to the property line in front of which no structure may be constructed, built or erected.
- F. **Cul-de-Sac-** A local street with only one outlet and designed to have one end permanently closed; the closed end is terminated by a vehicular turn around.

- G. Curb or Curb line-** The inside vertical face of a masonry curb, the centerline of a valley gutter, or the edge of the pavement where no curb or gutters exist.
- H. Corner lot-** A lot abutting upon two (2) or more streets at their intersection.
- I. Dedication-** The deliberate assignation of land by its owners for any general or public uses, reserving to himself no other rights than such as are compatible with the full service and enjoyment of the public uses to which the development has been devoted.
- J. Developer-** A person, corporation, or duly authorized agent who undertakes the subdivision of land as defined herein. The term "developer" includes the term "subdivider."
- K. Easement-** A grant of rights by the property owner for the use of a strip of land for specific purposes.
- L. Final Plat-** A plat of a tract of land which meets the requirements of these regulations and is in form for recording in the Office of the Judge of Probate of St. Clair County.
- M. Health Department-** The St. Clair County Health Department and the Alabama State Health Department.
- N. Half-Street-** A street which does not meet the minimum right-of-way widths set forth in these regulations.
- O. Hardship-** An unusual situation on the part of an individual property owner which will not permit him to enjoy the full utilization of his property which is given to others within the City. A hardship exists only when it is not self created, or when it is not economic in nature.
- P. Jurisdictional Area-** Shall include all land area lying within the current corporate limits of the City of Argo. Such area shall be subject to the requirements of these subdivision regulations.
- Q. Lot-** A parcel of land intended for transfer of ownership or for building, development.
- R. Monument-** Any permanent object serving to indicate a limit or mark a boundary.
- S. Open Space-** Any land publicly or privately owned which is designated being permanently undeveloped and used for recreation, conservation, or preservation. (See illustration of open space layout under heading "Cul-de-sac.")
- T. Owner's Engineer-** The engineer registered and in good standing with the State Board of Registration of Alabama who is the agent in his professional capacity of the owner of land which is proposed to be subdivided or which is in the process of being subdivided.
- U. Pavement Width-** The horizontal width of paved surface, excluding curb and gutter.
- V. Planning Commission-** The Planning Commission of the City of Argo, Alabama.
- W. Performance Bond-** A surety bond equaling 150 percent of the cost of constructing water, sewer, drainage, street, erosion control, or other public facilities and measures. The bond is to insure that the construction of such facilities and the completion of necessary measures are made, by the developer, thereby protecting the City from incurring the cost of such requirements should the developer fail to conform to the requirements.

- X. Preliminary Plat-** A tentative plan of a proposed subdivision submitted to the Argo Planning Commission.
- Y. Probate Judge-** The Judge of Probate of St. Clair County.
- Z. Right-of-Way-** A strip of land separate and distinct from the lots adjoining such right-of-way and not intended within the dimensions or areas of such lots, which is occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, or for another special use.
- AA. Sidewalk-**A walkway constructed for use by pedestrians.
- AB. Single-Tier lot-** A lot which is adjacent to an arterial street, railroad, a physical barrier, or one used for residential or non-residential purposes and to which access from the rear of the lot is usually prohibited. See illustration below.
- AC. Street, Arterial-** A major street intended to move through traffic to and from major activity centers within the City or intended as a major route between communities.
- AD. Street, Collector-** A street intended to move traffic from local streets to arterial streets. A collector street serves a neighborhood or large subdivision and should be designed so that single family residential lots face onto it.
- AE. Street, Minor-** A minor street intended to provide access to other streets from individual lots (see illustration of various types of streets below).
- AF. Street, Marginal Access-** A street which is parallel with and adjacent to an arterial street and which provides access to abutting properties and protection from through traffic.
- AG. Subdivision-** The division of a lot, tract, or parcel of land into two (2) or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale or of building development. Such term includes re-subdividing and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided. (Acts 1935, No. 534, P. 1126, Code 1940, T .37, & 786.) However, the following shall not be included in the definition or be subject to the requirements thereof:
- A division of land for agricultural purposes not involving a new street and not involving the construction of any dwelling.
 - Cases where property is divided by probated family estates.
- AH. Sub-divider-** The person(s), firm(s), or corporation(s) engaged in the process of creating a subdivision or having completed a subdivision of land.
- AI. City Engineer-** The duly designated engineer of the City of Argo, Alabama.
- AJ. City Council-** The Chief Legislative Body of the City of Argo, Alabama.
- AK. City Clerk-** The duly designated Clerk of the City of Argo, Alabama.
- AL. City Mayor or Chief Elected Official-** The duly elected or appointed Mayor of the City of Argo, Alabama.
- AM. City Specifications-** All construction specifications which have been adopted by the City Councilor as required by the City Planning Commission and all utility departments.

- AN. **City Fire Chief-** The duly designated Fire Chief of the City of Argo, Alabama.
- AO. **Zoning Ordinance-** The Official Zoning Ordinance of the City of Argo, Alabama

ARTICLE IV

PROCEDURE FOR PLAT APPROVAL

*Amendment 10 – approved June 16, 2020

Section 4.0 **General**

The procedure for review and approval of a subdivision plat consists of two (2) separate steps. The initial step is the preparation and submission to the Planning commission, or other authorizing agent of the Planning commission and Planning Commission of a preliminary plat of the proposed subdivision. The second step is the preparation and submission to the Planning Commission of a final plat together with required certificates. This final plat becomes the instrument to be recorded in the Office of the Judge of Probate when duly signed by the Chairman of the Planning Commission and the Mayor of Argo.

Section 4.1 **Preliminary Plat Approval**

The application for preliminary plat approval, including three (3) prints and one (1) digital PDF version of the Subdivision plan, shall be submitted to the Zoning Director, or other authorizing agent of the Planning Commission at least thirty (30) days prior to the Planning Commission's regularly scheduled work session to ensure the plat will be considered at the subsequent regular meeting. A non-refundable fee of one hundred (\$100.00) dollars for up to four (4) lots and twenty-five dollars (\$25.00) per lot for each additional lot shall be paid by the developer at the time of filing of the preliminary plat.

The Planning Commission, or other authorizing agent of the Planning Commission, shall transmit prints of the preliminary plat to the appropriate City Departments and City Engineer, either by way of hand or electronic delivery for review and recommendations in relation to specific issues and service problems. Any issue or service problem will be reviewed with the developer at the monthly work session and the developer will be required to make revisions and return back to the Planning Commission no later than one (1) week prior to the date of the regularly scheduled meeting in order to allow a review of revisions by the appropriate department. Late submittals will be placed on the next month's meeting agenda for approval.

Prior to approval of the preliminary plat, the Planning Commission shall hold a public hearing. Notice of such hearing shall be sent to all adjoining property owners as their names appear upon the plats in the St. Clair County Tax Assessor's Office. Notice of the public hearing shall be sent at least five (5) days prior to the date of the hearing.

The preliminary plat shall meet the minimum standards of design and the general requirements for the construction of the public improvements set forth in these regulations. The Preliminary Plat shall show:

- A. Vicinity Sketch Map-at a scale sufficient to clearly show the following:
 - 1. Name and Location of subdivision
 - 2. Names and addresses of owner, subdivision project engineer and surveyor:
 - 3. North arrow, scale, and date;
 - 4. Boundaries and approximate dimensions;

5. Amount of acreage to be subdivided;
 6. Major traffic arteries, utilities, and community facilities (major shopping areas, schools, parks, hospitals, churches) which are pertinent to the proposed development and design.
- B. Preliminary Plan of Subdivision-at a scale of not more than one-inch equals 100 feet showing the following:
1. Name and location of subdivision;
 2. Names of owner, subdivision project engineer, geotechnical engineer, and
 3. North arrow, graphic scale, written scale, and date;
 4. Amount of acreage to be subdivided in this phase. Any additional future phases shall be shown. Drainage design for the future phases shall be included in the preliminary plate for Phase 1.
 5. Topography based on U.S. Geological Survey U.S. Coast and Geologic Survey sea level datum. Contours shall be shown at two (2) foot intervals on grade less than 10 percent and five (5) foot intervals on grades greater than 10 percent unless otherwise specified by the Planning Commission.
 6. Street Plan which includes.
 - a. Location of all existing and proposed streets within the subdivision and adjacent to it.
 - b. Widths of existing and proposed rights-of-way.
 - c. Street Names which are subject to approval of the Planning Commission and shall not be in conflict with other street names within the City.
 - d. Plan and profile of all streets.
 - e. Typical cross-section of proposed streets.
 - f. Curve Data for the centerline of each street.
 - g. Blocks and lots with approximate dimensions shown for all lot lines.
 - h. Building setback line along each street.
 - i. Plans for proposed utility layouts showing feasible connections to existing or proposed utility systems. When such connections are not practical all proposed individual water supply and/or sewage disposal system shall meet the approval of the St. Clair County Health Department. See Appendix A. and B requirements.
 - j. All proposed culverts (locations and dimensions)
 - k. Location, width, and purpose of all easements.
 - l. Locations and dimension of land to be dedicated or reserved for parks, schools, open space or other public use.
 - m. Geotechnical Engineering and Stormwater Drainage/Best Management (BMP) Plan.

- n. Any portion of the land in the subdivision subject to periodic inundation by storm drainage, overflow, or ponding shall be clearly shown and identified on the plat.
 - o. The existing zoning classification of subdivision and all contiguous land.
 - p. The names of adjacent property subdivisions and the names and addresses of record owners of adjoining parcels of land as they appear on the current tax records.
 - q. Locations, size and type of all street signs and lights.
7. Plans and specifications
- a. Full set of project specifications which cover each item of work.
- C. Other Documents Required with Preliminary Plat
- 1. Copy of ALDOT permit.
 - 2. Copy of ADEM permit.
 - 3. Copy of Articles of Incorporation and Bylaws for Homeowners Association.
 - 4. Declaration of Protective Covenants
 - 5. Documents making covenant a part of the deed for each lot.
 - 6. Proof of commitment to surety bond.

Within thirty (30) days after the first regularly scheduled meeting of the Planning Commission which is held after the work session wherein the preliminary plat was reviewed, the Planning Commission shall consider the plat and move for its approval, disapproval, or approval subject to required modifications. If the plat is disapproved, the reasons for such disapproval shall be stated in writing. If approved subject to modification the nature of the required modifications shall be stated in writing.

Approval of the preliminary plat by the Planning Commission shall be constitute acceptance of the final plat, except when the final plat is completed during the specified time in substantial accordance with the layout shown of the preliminary plat.

Approval of the preliminary plat shall lapse unless a final plat in substantial conformance therewith is submitted within six (6) months from the date of such approval. UNLESS an extension of time is specifically applied for by the sub-divider and expressly granted by the Planning Commission.

Section 4.2 Final Plat

The final plat shall conform substantially to the preliminary plat as approval. For phased development, the final plat must include the entire phase submitted in the preliminary plat. No partial phases shall be approved.

The sub-divider shall submit to the Planning Commission the original drawing of the plat, done in black drawing ink, including three (3) prints and one (1) digital PDF version of the Subdivision plan, together with any street profiles other plans or documentation which may be required by the Planning Commission. The above must be provided at least thirty (30) days prior to the Planning Commission's regularly scheduled work session to ensure the plat will be considered at the subsequent regular meeting.

At the time of filing the final plat the sub-divider shall be required to pay a fee to the City of Argo to cover the cost incurred by the City, or its Authorized Agent(s) in its review and inspection of the subdivision.

The final plat shall be drawn to a scale of one (1) inch equals one hundred (100) feet on sheets not larger than twenty-four (24) by thirty-six (36) inches. When more than one (1) sheet is required, an index sheet of the same size shall be filed as a key showing the entire subdivision with the sheets in alphabetical order.

The final plat shall give the following information:

- A. Vicinity Sketch Map at a scale sufficient to show the site in relation to its surroundings. The map submitted with the preliminary plat may be used.
- B. Final Plan of the subdivision including the following:
 1. Name and location of subdivision.
 2. Name of owner, subdivision project engineer, geotechnical engineer, and surveyor.
 3. North arrow, graphics scale, written scale, and the date.
 4. Location, width, and name of all streets, roads and alleys and other right of way.
 5. Location of all blocks and lot lines and all lot numbers in numerical order.
 6. Building Setback lines along with streets.
 7. Sufficient data to readily determine and reproduce on the ground the location, bearing, and length of every road line, lot line, boundary, line block line, and building line, whether curved or straight, and including the radius, central angle, and tangent distance, and the length of curve for the center line of all curved roads and property lines which are not the boundary of the property being subdivided. The length of all dimensions shall be to the nearest tenth or 10 on one (1) foot, and bearings of all angles to nearest one (1) minute.
 8. Location, dimension, and purpose of all easements.
 9. Location and description of all monuments and iron pins.
 10. Name and location of adjoining subdivisions, roads and the location and ownership of adjoining unsubdivided property.

The following certifications shall be presented along with the final plat:

- A. Certification showing that the applicant is the legal owner of the land, and that he formally dedicates all streets, right-of-way, and any other sites for public use.
- B. Certification by a registered surveyor of the accuracy of the survey and plat, and the replacement of all required monuments.
- C. Certification of approval by the St. Clair County Health Department when individual sewage disposal of water systems are to be installed.
- D. Certification by the City Clerk and City Engineer that the sub-divider has be complied with one of the following alternatives:

1. Installed all improvements according to the requirements and specifications of these regulations, or
 2. Posting a surety bond properly dated in sufficient amount and stating a cut off date 30 days past the City's acceptance and release amount sufficient to assure the completion of all required improvements. See Article VII, Page 41.
- E. Certification by licensed professional engineer, licensed in the State of Alabama, that this subdivision meets all requirements of the subdivision regulations and all other applicable ordinance of the City of Argo, Alabama.

When the plat has been approved by the Planning Commission, the final tracing containing all required certifications shall be returned to the sub-divider. The sub-divider shall then file such with the Probate Judge of St. Clair County as the official plat of record. One (1) copy shall be retained in the records of the Planning Commission at Argo City Hall. The Planning Commission must consider a final plat within thirty (30) days after its first regularly scheduled meeting which is held thirty (30) days after the submission of the final plat. If the plat is disapproved, grounds for such disapproval shall be stated in writing in the official minutes of the Planning Commission meeting.

Approval of the final plat by the Planning Commission shall not constitute acceptance by the public of the dedication of any street or other public way or ground. After approval of the final plat and the construction of the streets shown thereon, the Planning Commission may recommend to the City Council that it accept these streets as public roads and take over the perpetual maintenance after being annexed into the city limits.

Section 4.3 Approval of Minor Subdivisions

Minor Subdivisions may be approved administratively by the Planning Commission, or other authorizing agent of the Planning Commission as declared by the Planning Commission, after review / approval of all applicable City Department Heads or their designees, without a public hearing. Approval of a Minor Subdivision shall be subject to all other applicable regulations and law.

A Minor Subdivision consists of 1) the subdivision of land into not more than four lots or a reduction of the number of lots in an existing subdivision, and 2) shall not require any public improvements, the dedication of a public way, or the expenditure of any public funds, 3) the plan for the Minor Subdivision shall not conflict with the master plan, official zoning map, any zoning ordinance, or any other subdivision regulations, and 4) the Minor Subdivision only contemplates either residential or agricultural zoned property.

Upon receipt and review of an application under this section, the Planning Commission will review as described in Sections 4.0 – 4.2.

Section 4.4 Building Identification

If "cluster mailboxes" or a like concept are required by the United States Postal Service (the "USPS") within a subdivision in lieu of individual mailboxes in front of the applicable houses, the same shall be depicted on the Plat. Further, for the purposes of ensuring emergency personnel can accurately locate and identify specific residences within the development, the location and style of house numbers as the same are affixed to the individual residences shall be uniform through the development and shall comply with the International Fire Code and local ordinances relating to street addressing standards. The developer will be responsible for making sure that all buildings within the subdivision have said numerical addresses attached to each building in a manner that complies with said requirements. Manner in which the address is displayed, numerical design and location on building shall be submitted with final plat approval and approved by the City of Argo Fire Chief.

ARTICLE V

DESIGN AND CONSTRUCTION STANDARDS

Section 5.0 Conformity to Comprehensive Plan

All proposed subdivisions shall conform to any Comprehensive Plan and/or Zoning Regulations of the City of Argo.

- A. The population densities established by the Zoning Ordinance and the Comprehensive Plan shall be observed by the sub-divider and the Developer within the corporate limits of the City of Argo.
- B. All thoroughfares in the Major Street Plan shown crossing or bordering a proposed subdivision are required to be provided for in the location and at the right-of-way width specified in these regulations.
- C. To insure development of the community in substantial conformity with the general principles set forth in the official plans and maps of the City of Argo, Alabama, the Planning Commission may require that the sub-divider reserve open spaces for parks, schools, fire stations, playgrounds, and other uses essential to the welfare of the community. (See Zoning Ordinance for specific requirements in each district)
- D. Clearly noted on the preliminary plat shall be all the improvements the owner proposed to make pursuant to the development of the subdivision. These improvements shall relate to drainage, utilities, streets, and other improvements necessary to permit development of the subdivision.

Section 5.1 Street Plan

General- The arrangement, character, extent, location, and grade of all streets shall be laid out according to good land planning principles and shall be integrated with all existing and planned streets. New streets shall consider topographical conditions, orientation to vistas, public convenience and safety, and the proposed uses of land to be served by them. The proposed street system shall also be coordinated with the street system of the surrounding area.

Section 5.2 Mountainous Terrain Residential Construction Regulations

Certain real property within the City of Argo (the "City") may be of such topography that adherence to City's Subdivision Regulations would be substantively prohibitive to development. The City of Argo will consider approval of alternate construction designs within subdivisions provided that the tract of land proposed for residential development is deemed applicable pursuant to the requirements set forth below. After review of a proposed concept and based upon the below requirements, the Planning Commission may grant a classification of "Mountainous Terrain" and allow deviations from the Subdivision Regulations pursuant to the below.

Mountainous Terrain classification as it pertains to the design elements of the street geometric are based on the traverse of the terrain of the land which the road passes and the ground contours, in terms of slopes and cross-slopes which are steep or abrupt, that would require frequent benching and side hill excavation to obtain acceptable horizontal and vertical alignment.

Short isolated stretches of varying terrain shall not be considered adequate to classify the proposed property as "Mountainous."

To obtain the "Mountainous Terrain" classification the parcel shall also be classified as Rural Development in that after the proposed development, there would exist little or no potential upon, or immediately adjacent to, said parcel for further development.

Mountainous Terrain Roadway Regulations

Mountainous developments are recognized by the City's Planning Commission to be unique in character and in need of individualized scrutiny to ensure a safe and acceptable development pursuant to the City's development standards. The following regulations are intended to provide a guide and framework for the Planning Commission so as to create consistency and uniformity for such developments with specific criteria and requirements to be set by the Planning Commission individually for each applicable development after review of the applicable development proposal.

1. Road vertical grades may be allowed in excess of fifteen percent (15%) but in no instance shall said grades exceed eighteen percent (18%) without approval of the City Engineer; the specific road vertical grade(s) allowable shall be determined by the Planning Commission at the time of plat approval.
2. Road widths shall allow for fire and emergency vehicles safe passage and shall meet at least the minimum requirements of the adopted International Codes.
3. Shoulder width requirements may be allowed at less than four (4) feet but in no instance shall said widths be less than three (3) feet on either side of the roadway; specific shoulder widths allowable shall be determined by the Planning Commission at the time of plat approval.
4. Pavement build-up shall be detailed in Article V, Section 5.13.
5. Slopes on either side of the road may be reduced to as low as to allow for a 1 ½ to 1 slope on either side of the roadway; specific slopes shall be determined by the Planning Commission at the time of plat approval.
6. Right-of-Way widths may be amended from those set forth state regulations upon approval by the Planning Commission.

Storm water design regulations:

1. Roadside ditches shall be designed to accommodate a minimum 25 year storm event.
2. Driveway culverts, shall be designed and shown on the preliminary plat to accommodate at 25 year storm event.
3. Driveway culverts shall have a sloped concrete headwalls at each end.
4. Class II stone rip-rap shall be required in ditches with a storm water velocity greater than 5 f.p.s.

Utility design regulations:

Water lines shall be of an adequate size for fire protection with fire hydrants meeting the pressures and flows as approved by the Fire Chief.

Submittal requirements and procedure for plat approval:

Prior to submittal of a preliminary plat, the developer shall submit a preliminary concept of the proposed residential development to the Planning Commission showing topography and preliminary layout of the lots. Lots must be designed of such acreage to meet the applicable zoning requirements or be at least three (3) acres, whichever is greater. Upon review of the preliminary concept, the Planning Commission will determine if the subdivision can be designed using the Mountainous Terrain Roadway Regulations.

Submittal for plat approval (both preliminary and final) shall meet the requirements of Article IV of the subdivision regulations.

Design and construction standards:

Provisions in Article V concerning standards shall apply to construction of roadways and storm drainage. Provisions of Article VI required Improvements shall apply to the subdivision.

Guarantee of completion of improvements:

Provisions in Article VII shall apply to the subdivision.

Additional requirements:

Striping shall be required on the centerline and edges of roadways approved pursuant to these Mountainous Terrain Roadway Construction regulations.

Provisions in Article VIII, IX, X and XI shall apply to the subdivision.

Section 5.3 Site Preparation

A. Clearing

Clearing shall consist of the felling, trimming, and cutting of trees into sections and the satisfactory disposal of the trees and other vegetation designated for removal, including downed timber, snags, brush, and rubbish occurring in the areas to be cleared.

Trees, stumps, roots, brush, and other vegetation in areas to be cleared shall be cut flush with or below the original ground surface, except such trees and vegetation as may be indicated or directed to be left standing. Trees designated to be left standing within the cleared areas shall be trimmed of dead branches 1 ½ inches or more in diameter and shall be trimmed of all branches the heights indicated or directed. Limbs and branches to be trimmed shall be neatly cut close to the trunk of the tree or main branches. Cuts more than 1 ½ inches in diameter shall be painted with an approved tree-wound pain. Trees and vegetation to be left standing shall be protected from damage incident to clearing, grubbing, and construction operations by the erection of barriers or by such other means as circumstances require.

Clearing shall also include the removal and disposal of structures that obtrude, encroach upon, or otherwise obstruct the work. Overexcavation required for the removal of subsurface structures shall be replaced with structural fill compacted to specification requirements stated below.

B. Grubbing

Grubbing shall consist of the removal and disposal of stumps, roots larger than 3 inches in diameter, and matted roots from the designated grubbing areas.

Material to be grubbed, together with logs and other organic or inorganic debris not suitable for foundation purposes, shall be completely removed below the original surface level of the ground in areas indicated as construction areas under the construction contract. Over excavation and depressions made by grubbing shall be replaced and filled with structural fill compacted to specification requirements stated below.

C. Topsoil Stripping

Where present, all topsoil shall be stripped and removed from all construction areas. Topsoil is defined as upper soil that is objectionable due to high content of organics. Stripped material may be re-used for topsoil in landscape areas, along side slopes and banks along the construction area, provided that it is

natural, workable, loamy soil that is reasonably free from hard lumps, stiff clay, hardpan, gravel, noxious weeds, brush, or other undesirable material, and is suitable for growing grasses, legumes, or other vegetative ground cover.

D. Proofrolling

1. Fill Areas

Any areas that are to receive fill shall be observed and evaluated by the Geotechnical Engineer. The evaluation shall include the proofrolling of the subgrade soils by a fully loaded triaxel dump truck, or other pneumatic tire-mounted construction equipment approved by the Geotechnical Engineer. The air pressure in rubber-tired equipment used for proofrolling shall be greater than 80 psi. Proofrolling equipment shall be provided and operated by the Developer.

Each area to receive fill shall be proofrolled immediately prior to fill placement in that area. Areas that have been proofrolled and have been subjected to rain or other wetting shall be inspected by the Geotechnical Engineer prior to refill placement. The Geotechnical Engineer may order an additional proofroll.

Disturbed subgrades resulting from excessive construction traffic, improper construction drainage, or other causes shall be undercut and replaced to the required depth. Areas that have been proofrolled and then disturbed by construction traffic must be regraded and proofrolled again.

In areas where fill heights are greater than or equal to **10 feet**, soil test borings with split-spoon sampling and Standard Penetration Test (SPT) will be required to evaluate subsurface conditions at depth. The depth of soil borings shall be at **1.5 times** the fill height or auger refusal, whichever is less.

2. Undercutting

Any areas deemed by the Geotechnical Engineer to behave poorly under proofroll loads shall be undercut to suitable soils prior to placement of any structural fill material. All material deemed unsuitable to substantially support the embankment shall be removed to a suitable depth and replaced with stable material or rock as directed by the Geotechnical Engineer.

E. Subgrade Stabilization

In areas where soft soils are encountered to depths of **3 feet or greater**, the Geotechnical Engineer may require subgrade stabilization to reduce the required undercutting. Stabilization could include the use of a woven geotextile fabric (AMOCO 2002 or equivalent) and **8 to 12 inches** of crushed stone, geogrid and **6 inches** of crushed stone, or **18 inches** of crushed stone. The stabilization shall be performed under the guidance of the Geotechnical Engineer.

Section 5.4 Fill Soil Testing

A. Suitable Soil Fill Material

Soil fill material shall be free from organic material and inorganic debris. The fill material shall be free of rocks greater than **6 inches** in diameter.

Select soil fill shall exhibit a Liquid Limit of less than 50 (as determined by AASHTO T 89) and a Plastic Limit of less than 30 (as determined by AASHTO T 90), and shall have a maximum dry density of no less than **100 pounds per cubic foot** (as determined by AASHTO T 99). Select soil shall be used in the upper **2 feet** of subgrade (as discussed below).

Proposed soil samples shall be provided to the Geotechnical Engineer for evaluation of the

suitability of the material by laboratory testing. Laboratory testing of fill samples should include representative samples for every **500 linear feet** of the proposed roadway. In deep fills, the testing frequency may be increased. Test reports shall be provided to the City of Argo **prior** to fill placement being started.

B. Compaction Requirements

The following table shows the compaction requirements for fill soils:

DEPTH BELOW FINAL SUBGRAGE	DENSITY PERCENTAGE*	MOISTURE CONTENT**
>5 feet	95%	Within 2% of OMC
2 to 5 feet	98%	Within 2% of OMC
0 to 2 feet	100%	Within 2% of OMC

* Density percentage is the percent of maximum dry density, as determined by **AASHTO-T-99**.

** Optimum Moisture Content (OMC) is moisture content at maximum dry density, as determined by **AASHTO-T-99**.

Once final subgrade elevation is reached, the Geotechnical Engineer shall require field **California Bearing Ratio (CBR)** testing to compare actual CBR values with laboratory CBR values used in design of the roadway. Field CBR testing shall be conducted in accordance with **ASTM D 4429** or by using a dual-mass dynamic cone penetrometer values to CBR. Field CBR testing shall be performed every **500 feet**.

The CBR values may require a thicker pavement and base build-up than the minimum thickness contained in these specifications.

C. Compaction Testing

Compaction testing of each lift shall be conducted on each drive lane every **100 feet**. Adjacent drive lanes shall have compaction tests staggered **50 feet**. All compaction requirements shall be met prior to placement of subsequent fill lifts. The Geotechnical Engineer or his representative shall conduct compaction testing. The Geotechnical Engineer shall certify, in writing, to the **City** that all compaction tests meet these requirements.

D. Fill Placement

All fill shall be placed in horizontal lifts, not to exceed **8 inches** loose measure. Any fill being added to widen an existing embankment or slope shall be notched into the existing roadway slope a minimum of **10 feet** (horizontal distance). The benching should begin at the bottom of the slope and then filled from the bottom to the top in horizontally placed lifts.

Section 5.5 Evaluation of Cut Areas

A. Proofrolling

Cut areas that are at final subgrade elevation shall be observed and evaluated by the Geotechnical Engineer. The evaluation shall include the proofrolling of the subgrade soils by a fully loaded tandem axle dump truck, or other pneumatic tire-mounted construction equipment approved by the Geotechnical Engineer. The air pressure in rubber-tired equipment shall be greater than 80 psi. Proofrolling consists of repeated passes of the equipment over the exposed subgrade soils. The proofrolling equipment shall be provided and operated by the Developer.

Section 5.6 Undercutting of Cut Areas

Any areas deemed by the Geotechnical Engineer to be unstable for the height of the fill required under proofroll loads shall be undercut to suitable soils prior to placement of any structural fill material. In areas where soft soils are encountered to depths of 3 feet or greater, the Geotechnical Engineer may require subgrade stabilization. Stabilization could include the use of geotextile fabric and crushed stone, geogrid and crushed stone, or only crushed stone.

Areas that have been proofrolled and have been subjected to rain or other wetting shall be inspected by the Geotechnical Engineer prior to fill placement. The Geotechnical Engineer may order an additional proofroll.

Disturbed cut subgrades resulting from excessive construction traffic, improper construction drainage, or other negligence shall be undercut and replaced to the required depth. Areas that have been proofrolled and then disturbed by construction traffic must be regraded and proofrolled again.

Cut subgrades shall have **Plastic Indices (PI)** of less than **30**. In areas where PI's of **30** or greater are encountered at subgrade elevation, stabilized roadbed shall be constructed. The stabilized roadbed shall be constructed by scarification or otherwise loosening of the Upper foot of the exposed subgrade soils, and then blending in approximately **6 inches** of ALDOT #4 crushed stone aggregate. The subgrade soils mixed with the aggregate shall then be compacted.

Section 5.7 Field CBR of Exposed Cut Areas

Once final subgrade elevation is reached, the Geotechnical Engineer shall require field California Bearing Ratio (CBR) testing to compare actual CBR values with CBR values used in design of the roadway. Field CBR testing shall be conducted using ASTM D-4429 or by using a dual-mass dynamic cone penetrometer (U.S. Army Corps of Engineers Penetrometer) and correlating the dynamic cone penetrometer values to CBR. Field CBR testing shall be performed every **500 feet**.

Section 5.8 Topography and Arrangement

- A. All streets shall be platted along contour elevations which will result in minimum grades and greatest visibility whenever practicable with consideration given to the anticipated use of the land.
- B. The arrangement, character, extent, location, and grade of all streets shall be laid out according to good land planning principles and sound engineering principles, and shall be integrated with all existing and planned streets and land abutting a proposed subdivision **shall not be land-locked by the proposed subdivision.**
- C. The proposed street layout shall provide for the continuation or appropriate projection of principle streets into surrounding areas and provide reasonable means of ingress and egress for surrounding tracts of land.
- D. The number of streets converging upon any one point which would tend to promote congestion shall be held to a minimum. **Creation of multiple street intersections shall not be permitted.** The street pattern shall be in conformity with a plan for the most advantageous development of the entire community.
- E. If in the opinion of the Planning Commission it is desirable to provide street access to an adjoining property, said street shall extend by dedication to the boundary line of such property. A temporary vehicle turn-around, defined as a cul-de-sac, shall be provided. Local streets shall be so laid out that their use by through traffic in the subdivision will be discouraged.

- F. Where a proposed subdivision is planned within the corporate limits of the City of Argo and such has no frontage on an existing public road, or right-of-way, the sub-divider must provide, and dedicate to the City of Argo, a suitable right-of-way for ingress and egress. This connecting road becomes a part of the street system of the proposed subdivision and is subject to all regulations regarding streets.
- G. Subdivisions which abut or have included within the proposed area to be subdivided, any freeway or arterial street shall provide for the adequate protection of properties, and afford separation of through and local streets.

Section 5.9 Private Reserve Strips

Private reserve strips controlling access to streets or strips for unspecified or unacceptable purposes shall be prohibited.

Section 5.10 Half-Streets

Where there exists a dedicated or platted half-street adjacent to the tract to be subdivided, the other half shall be platted. New half streets or half-alleys shall be prohibited.

Section 5.11 Right-of-Way and Pavement Widths

The Argo Planning Commission shall determine the classification of all City Streets. All streets shall meet the following minimum requirements for the right-of-way and pavement widths:

<u>STREET CLASSIFICATION</u>	<u>RIGHT-OF-WAY</u>	<u>PAVEMENT WIDTH</u>
Arterial Street	80 Feet	35 Feet
Collector Street	60 Feet	28 Feet
Minor Street	50 Feet	26 Feet with 2 valley gutters or 26 Feet with two 1'-6" curbs.
Alley	20 Feet	14 Feet
Cul-de-sac	60 Feet	50 Foot Radius

- A. Subdivisions that adjoin existing roads shall dedicate additional right-of-way to meet the above minimum street width requirements.
- B. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the road.
- C. When a subdivision is located on only one side of an existing road, one-half of the required right-of-way, measured from the centerline of the existing roadway, shall be provided. The entire roadway width shall be paved unless the Planning Commission gives approval to the contrary.
- D. Right-of-way for any street, road, or avenue which, in the opinion of the Planning Commission is or might become a major arterial highway shall be no less than eighty (80) feet in width.
- E. A minimum of four foot shoulders shall be constructed.

Section 5.12 Base Course Construction

A. Material Requirements

All roadway base courses shall consist of ALDOT #825 Crushed Aggregate Base, Type A or B. Crushed aggregate shall be hard, durable crushed limestone, and shall meet requirements stated in ALDOT specifications 301 and 825. Samples of the crushed aggregate material shall be provided to the Geotechnical Engineer for laboratory testing and evaluation for use as crushed aggregate base.

Alternatively, the grain size gradation distribution of the proposed material shall be verified by the ALDOT approved crushed aggregate supplier and provided to the Geotechnical Engineer for review.

B. Compaction Requirements

Base course layers shall be compacted to **100% of maximum dry density** (as determined by AASHTO T 180) with moisture content of **no less than 5%**. Base course compaction testing shall be conducted on each drive lane every **100 feet**. Adjacent drive lanes shall have compaction tests staggered every **50 feet**. All compaction shall be met prior to placement of subsequent fill lifts. The Geotechnical Engineer or his representative shall conduct compaction testing.

Crushed aggregate base courses shall be placed in lifts not to exceed **8 inches** loose measure.

A minimum of ninety-five (95%) percent compaction for **base and subgrade** materials is required in accordance with **ASTM 0698 (Standard Proctor Density)**. The City Engineer shall require compaction test results, as directed by the Planning Commission, performed by a licensed testing laboratory.

C. Minimum Thickness

For design and construction purposes, the minimum base course thickness shall be 6 inches of compacted graded aggregate or approved equivalent on all road beds. **Additional thickness** may be required by the Geotechnical Engineer depending on laboratory determined subgrade PI and/or field CBR. **Eight (8) inches** of compacted graded aggregate shall be required for **commercial collector streets**.

D. Prime Coat

All base courses shall be covered with a bituminous prime coat prior to placement of asphaltic binder courses. The bituminous prime coat shall be of **MC-30 or MC-70 grade or AEP**, and shall be placed at **100 to 150 degrees Fahrenheit**.

The prime coat shall be applied uniformly over the area to be treated. Where the treatment width is **26 feet** or less, the entire width shall be treated in one application, unless otherwise directed by the Geotechnical Engineer. Where only a partial width is treated in one application, extreme care shall be used to insure a slight overlap of adjacent treatments, but not in excess of **4 inches**. Prime coat shall be applied at a rate of **.22 to .25 gallons per square yard**.

Prior to application of a prime coat, any loose material, dirt, caked clay or other foreign material shall be removed from the application area. All cleaning shall be completed before the application of any bituminous material. Once the prime coat has been applied, the Developer shall keep all traffic off the road until in the opinion of the Geotechnical Engineer the prime coat is cured. When directed by the Geotechnical Engineer, the Developer shall, without extra compensation, spread the minimum amount necessary of approved clean, coarse sand over the bituminous prime to prevent it breaking up under traffic or to speed up curing. No overlying surface shall be placed until the Geotechnical Engineer has approved the prime coat.

The Developer shall maintain the prime treatment and the surface of the base intact until it is covered by an application of a surfacing material. Maintenance shall include satisfactory repair to all holes, ravels, depressions, and areas deficient in prime so that the prime surface shall be smooth and of uniform texture before placing of an overlying surface.

Section 5.13 Asphalt Layer Construction

A. Approved Asphalt Mixes

Asphaltic pavements shall consist of ALDOT 429 Improved Bituminous Pavements sections. This shall include the requirements provided in ALDOT Specification Section 410 (Bituminous Plant Mix Pavements).

Bituminous Concrete Binder Layers shall meet all requirements of ALDOT Section 414. Bituminous Concrete Wearing Surface Layers shall meet all requirements of ALDOT Section 416. The Developer will furnish weight tickets from the **asphalt plant** certifying that the plant mix is the type required for each layer. No recycled (RAP) asphalt shall be used.

B. Compaction Requirements

All asphaltic layers shall be compacted to 94% of the Theoretical Maximum Density (AASHTOT-209). The Theoretical Maximum Density shall be determined by laboratory testing by the Geotechnical Engineer.

So that appropriate compactive effort during pavement placement can be determined, test strips shall be used at the beginning of construction. Test strips for each asphalt lift shall be 50 feet long and shall be full-lane width. The Developer shall conduct passes over asphalt layers using compaction equipment representative of what shall be used during asphalt pavement production. Between each pass, the Geotechnical Engineer or his designated representative shall take nuclear density tests to determine in-place density changes with each additional pass, and also to determine the appropriateness of the Contractor's compaction equipment.

If the necessary target density cannot be achieved with the compaction equipment used, larger compaction equipment shall be required during asphalt pavement production. Substitute compaction equipment should be evaluated with a separate test strip prior to asphalt pavement production.

During asphalt pavement production, each layer shall be density tested on each lane (or application pass) at **50 foot intervals**, staggered a distance of **25 feet** with adjacent lanes.

C. Tack Coat

A tack coat shall be furnished between consecutive asphaltic concrete layers. Tack coat shall meet all requirements in **ALDOT Section 405**.

Section 5.14 Pavement Thickness

A. Minimum Pavement Thickness

The minimum pavement section that shall be placed shall be as follows:

Wearing Surface:	1 ½ inch thick layer , ¾ inch maximum aggregate size; Improved Bituminous Concrete Wearing Surface: asphalt shall be comprised of the then-current ALDOT accepted wearing surface mixture – currently ALDOT 424-A .
Binder Layer:	3 ½ inch thick layer , 1 ½ inch maximum aggregate size; Improved Bituminous Concrete Wearing Surface Layer: asphalt shall be comprised of the then-current ALDOT accepted binder mixture – currently ALDOT 429-B .
Base Course:	6 inch compacted thickness; base course shall be comprised of the then-current ALDOT accepted base course composition – currently ALDOT 825-A or 825-B Crushed Aggregate Base Course.

Asphalt cores shall be ordered to verify the in-place thickness of each layer.

This minimum section is based upon a subgrade **CBR of no less than 6**. The subgrade CBR shall be field determined and shall be determined by Geotechnical Engineer. If the subgrade CBR is less than 6 as determined by field testing, the subgrade shall be stabilized as directed by the Geotechnical Engineer until a minimum CBR of 6 is achieved.

B. Street Classification

The following pavement thickness for the various classifications of City Streets shall be as follows:

<u>STREET CLASSIFICATION</u>	<u>PAVEMENT THICKNESS</u>	
	<u>BINDER</u>	<u>WEARING SURFACE</u>
Arterial Street	3 ½ inches	1 ½ inches
Collector Street	3 ½ inches	1 ½ inches
Minor Street	3 ½ inches	1 ½ inches
Alley	3 ½ inches	1 ½ inches
Cul-de-sac	3 ½ inches	1 ½ inches

Note: An additional 6" black base layer will be placed in cul-de-sacs in 2" to 3" layers. This is in addition to the required 6" of crushed aggregate base.

C. Alternate Paving Design

The minimum pavement design as set forth in Article V; Section 5.13 shall be followed on all streets and cul-de-sacs paved within the jurisdiction of these Regulations **except and unless it shall be proven that where existing onsite soil conditions and proposed street classification(s) warrant**, the applicant and/or applicant's representative may submit an **Alternate Paving Design**, sealed by a licensed Professional Engineer, to the Building Inspector for review.

Streets paved under Section 5.13 (C) shall be as follows: The pavement design shall be supported by appropriate engineering data and documentation, and/or as required by the Building Inspector and the City Engineer, to verify that the alternate design meets or exceeds the minimum standards set forth in the City of Argo Subdivision Regulations. The Alternate Pavement Design shall be submitted by a licensed Civil Engineer and/or Geotechnical Engineer who is in good standing with the City of Argo Building Department and the City Engineer.

Note: Notwithstanding the above allowance for "Alternate Pavement Design," under no circumstance shall any street be paved within the jurisdiction of these Regulations with a thickness of less than 2 inches of binder or less than 1 inch of wearing surface.

If applicable and appropriate pursuant to the engineering as described above, Cul-de-sacs allowed to be paved under Section 5.13(C), Alternate Paving Design, shall be paved no less than as follows:

Base Course: 8-inch compacted thickness; base course shall be comprised of the then-current ALDOT accepted base course composition – currently **ALDOT 825-A** or **825-B** Crushed Aggregate Base Course

Binder Layer: 3-inch-thick layer, 1 ½ inch maximum aggregate size; Improved Bituminous Concrete Wearing Surface Layer; asphalt shall be comprised of the then-current ALDOT accepted binder mixture – currently **ALDOT 429-B**

Wearing Surface: 2-inch-thick layer, ¾ inch maximum aggregate size; Improved Bituminous Concrete Wearing Surface; asphalt shall be comprised of the then-current ALDOT accepted wearing surface mixture – currently **ALDOT 424-A**.

The pavement and base design for Cul-de-sacs shall be supported by appropriate engineering data and documentation, and/or as required by the Building Inspector and the City Engineer, to verify that the alternate design meets the minimum standards allowed and set forth for Cul-de-sacs in the City of Argo Subdivision Regulations. The Alternate Pavement Design shall be submitted by a licensed Civil Engineer and/or Geotechnical Engineer who is in good standing with the City of Argo Building Department and the City Engineer.

Asphalt cores shall be ordered by the Building Inspector and/or the City Engineer to verify the in-place thickness of each layer.

Section 5.15 Course Aggregate for Binder and Seal Gradations

<u>BINDER</u>		<u>SEAL</u>	
Sieve % Passing By Weight		Sieve % Passing By Weight	
1 1/2"	100	1/2"	100
3/4"	91-100	3/8"	90-100
1/2"	75-90	No.4	65-82
3/8"	64-80	No.8	45-62
No.4	46-64	No.16	32-49
No.8	34-50	No.30	22-38
No.16	24-40	No.50	14-28
No.30	16-32	No.100	6-14
No.50	10-22		
No.100	4-12		

NOTE: The course aggregate in seal shall be composed of crushed gravel having three (3) or more fractured faces or slag.

- A. Course and fine Aggregates shall be blended to produce a suitable mix, which will blend with the type and amount of liquid asphalt being used.
- B. Bitumen Content will between 3.5% and 6.5% for binder and 4.7% to 9% for wearing layer.
- C. Bitumen will be Asphalt Cement, Grade AC-20 or AC-30.
- D. Gradations and Bitumen content of Asphalt plant mix shall be certified by a licensed testing Laboratory.

Section 5.16 Traffic Considerations

The full pavement section should be constructed before being let to traffic. Construction traffic should be limited, and heavily loaded dump trucks shall not pass over incomplete pavement sections. Damaged pavements resulting from construction traffic will require removal and replacement. Replacing pavements damaged by construction traffic shall be the responsibility of the Developer.

Section 5.17 Pavement Overlay Sections

Prior to the design and/or construction of a pavement overlay section, the Geotechnical Engineer shall conduct a pavement condition survey. The purpose of the survey is to identify and rate the distress of the pavement. The Geotechnical Engineer shall determine the necessary pavement overlay based upon asphalt condition, thickness in-place, and anticipated future traffic.

Section 5.18 Special Considerations for Trench Backfill

Utility trenches that are located beneath pavement sections shall be backfilled using compacted lifts, especially when the trench excavation is conducted after roadway embankments have been formed. Under no circumstance shall any trench backfill be dump-filled or placed in lifts exceeding **6 inches** loose measure. All trench backfill shall be compacted to a density of **98% of the soils maximum dry density**. Trench backfill shall be placed at moisture content within **2% of OMC**.

The Geotechnical Engineer or his representative shall test **Trench backfill in-place densities**. Each lift of the trench backfill shall be tested every **25 linear feet of the trench**, with at least **3 tests per lift**. The Engineer may direct that trenches be backfilled with **commercial aggregate**.

Failure to properly compact trench backfill can result in settlement of trench backfill, resulting in pavement distress. Any settlement shall be repaired prior to acceptance.

Section 5.19 Drainage Structures

Pipes (crossdrain and sidedrain) shall be designed based on the drainage areas affected. Design shall be by an Engineer licensed in the State of Alabama. Drainage pipe shall be **Concrete Roadway Pipe** of a class determined by fill height, with **minimum size being 15 inch**. Certifications will be furnished by the Developer that the pipe meets **ALDOT Standard Drawings**.

The City of Argo will not accept any responsibility for damage to adjacent property due to redirection of drainage or inadequate drainage facilities.

Section 5.20 Slopes

All rock slopes outside the ditch area may be **1:1**, or as determined by the City Engineer.

All soil (dirt) slopes outside the ditch area shall be **2:1 or flatter**, or as determined by the City Engineer.

Section 5.21 Grassing

All graded or bare areas outside the paved roadway will be grassed with a permanent grass mixture in accordance with current **ALDOT SPECIFICATIONS, SECTION 652**. Solid sod may be substituted for seeding. Appropriate amounts of fertilizer and lime will be required. Four inches of topsoil shall be uniformly spread. The final plat shall not be submitted until a satisfactory stand of grass is achieved in accordance with these specifications.

Section 5.22 Street Grades

Unless otherwise determined by the Planning Commission, the following street grades shall apply:

<u>STREET TYPE</u>	<u>GRADE</u>
Arterial Street	15% Maximum
Collector Street	15% Maximum
Minor Street	15% Maximum

All minimum street grades and minimum sight distances shall be in conformance with the Alabama Highway design manual for highways and streets.

Section 5.23 Alignment and Visibility

- A. Minimum radii of horizontal curves shall not be less than 100 feet.
- B. There shall be a minimum tangent of 100 feet provided between all reverse curves.
- C. Angular breaks in right-of-way alignment of more than two (2) degrees are not permitted.
- D. Visibility- Clear horizontal visibility, measured along the centerline, shall be provided for at least 250 feet in each direction.
- E. Where an existing road or right-of-way falls within a proposed subdivision tract and the subdivider proposes to abandon this right-of-way, the Planning Commission and City Engineer shall review this proposal in light of its effect on neighboring properties and forward its recommendation to the City Council prior to its taking legal action on the matter.
- F. Where there are streets and rights-of-way in existence and are proposed to be retained, they shall be designed so as to eliminate all bends, crooks, and other undesirable hazardous conditions, and modified to meet standards contained herein.

Section 5.24 Intersections

- A. **Submission of Grading Plan-** showing existing conditions and a detailed design for intersections which are unusual or located in difficult terrain may be required by the Planning Commission.
- B. **Acute Angles-** at street intersections are to be avoided. In no case will an angle of less than sixty (60) degrees be permitted.
- C. **Existing Intersections-** The Planning Commission reserves the right to require proposed roadways to line up with existing intersections if deemed appropriate.
- D. **Minimum Radii of Intersections**
 - 1. **Property Lines-** at arterial and major street intersections shall be rounded with a radius of twenty-five (25) feet. An increased radius shall be required when an angle of the intersection is less than ninety (90) degrees.
 - 2. **Roadway and Curb intersections** shall be made concentric and shall be rounded by a radius of not less than ten (10) feet.
 - 3. **Sight Lines-** Arterial streets shall have a clear sight triangle of one hundred fifty (150) feet from the point of the intersection. This shall be indicated on all plans submitted. No buildings or other obstructions higher than thirty-six (36") inches shall be permitted in this area. (See typical illustrations of sight triangle below)

Section 5.25 Cul-de-Sacs

Streets designed to have one end permanently closed shall be provided with a turn-around having a minimum right-of-way radius of fifty (50) feet and a minimum pavement radius of forty (40) feet. If, in the opinion of the Planning Commission, it is desirable to provide street access to an adjoining property due to the probability of future extension of said street, then said street shall extend by dedication to the boundary of such property. A **temporary turn-around, or cul-de-sac** shall be provided for these streets. The Planning Commission, after consultation with appropriate department head(s), shall determine what

type of base and surface materials shall be permitted for such temporary turn-around. In addition, at such time said street may be extended, the temporary turn-around shall be removed and the extension of the street shall conform to the requirements contained within these regulations.

Section 5.26 Alleys

- A. Alleys may be required by the Planning Commission in commercial and industrial districts to facilitate access to parking, loading and service points.
- B. Alleys are not permitted in residential districts except when the Planning Commission determines that special conditions warrant a secondary means of access.

Section 5.27 Street Names

- A. No street name shall be used which will duplicate by spelling or sound or otherwise be confused with the name of existing streets. Street names are subject to the approval of the Argo Fire Chief and the St. Clair County E911 Authority.

Section 5.28 Street Signs

The Developer will be responsible for erecting all street signs with street names. Street names, sign design, sign post and lettering design shall be approved by the Planning Commission and the Fire Chief prior to sign installation.

The Developer will be responsible for erecting all traffic control devices in accordance with the current Manual of Uniform Traffic Control Devices. **No street will be opened to traffic without appropriate Traffic Control Devices.**

Section 5.29 Streets in Non-Residential Subdivisions

- A. Plans for streets in non-residential subdivisions within the corporate limits of the City of Argo shall be reviewed by the Planning Commission and the Building Inspector in accordance with appropriate sections of the zoning ordinance.

Section 5.30 Sidewalks, Curbs, and Gutters

- A. Sidewalks shall be required by the Planning Commission in residential subdivisions located adjacent to or in close proximity to public facilities such as but no limited to the following: churches, schools, recreational areas and facilities, public buildings, and commercial areas or where otherwise deemed necessary to ensure public safety and welfare. Sidewalks, when required, shall be a minimum of four feet (4') wide in residential areas and seven feet (7') wide in commercial areas, and shall be constructed of 3,000 pound mix concrete and be four inches (4") in thickness (See appendix E for Typical Illustration).
- B. Standard approved type curbs and gutters may be placed on both sides of all new streets within the corporate limits of the City of Argo Specifications for Curbs and Gutters. (See Appendix E for Typical Illustration)
- C. The City shall be notified in writing, by the Developer, of the completion date of sidewalks, curbs and gutters. The Developer shall be responsible for the maintenance of the curbs, gutters, and sidewalks for one (1) year from the date of acceptance by the City.

Section 5.31 Blocks

Block length shall not be less than four hundred (400) feet nor more than twelve hundred (1,200) feet and shall be wide enough to allow two (2) tiers of lots of appropriate depth.

Pedestrian crosswalks, not less than ten (10) feet wide may be required where deemed essential in blocks over eight hundred (800) feet long to provide for proper circulation and/or access to schools, playgrounds, shopping centers, bus stops, and other community facilities.

Section 5.32 Lots

- A. The lot size, width, depth, shape, and orientation and the minimum building setback line shall be appropriate for the location of the subdivision and for the type of development and use contemplated.
- B. Lot dimensions shall conform to the requirements of the Zoning Ordinance and the requirements of the St. Clair County Health Department. In cases where requirements conflict, the greater requirement shall govern.
- C. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for off-street parking and loading for the use contemplated.
- D. Corner lots for residential use shall have an extra fifteen (15) foot width to permit appropriate building orientation and setback from both streets.
- E. Each lot shall be provided with access to a public street and front upon a dedicated street with not less than fifty (50) feet right-of-way.
- F. Double frontage and reverse frontage lots shall be avoided, except where deemed essential to provide separation of residential development from traffic arteries, or to overcome specific disadvantages of topography and orientation.
- G. Side lot lines shall normally be at right angles to streets, except on curves where they shall be radial.
- H. All lot corners shall be marked with iron pipe, not less than three-fourths inches (3/4") in diameter and twenty four inches (24") long, and driven so as to be flush with the finished grade.

Section 5.33 Easements

- A. Easements across lots or centered on rear or side lot lines shall be provided for utilities and drainage where necessary and shall not be less than a total of then twenty (20) feet unless otherwise approved by the City Engineer.
- B. Where a subdivision is traversed by an existing or proposed water course, drainage way, channel, or stream, there shall be provided a storm drainage easement or right-of-way conforming substantially with the lines of such existing or planned drainage way. The width of such drainage easement or right-of-way shall be sufficient to contain the ultimate channel and maintenance way for the tributary area upstream.
- C. Lots and easements shall be arranged in such a manner as to eliminate unnecessary easement jogs or off-sets, and facilitate the use of easements for power distribution, telephone service, drainage, water and sewer services.

Section 5.34 Drainage and Inundation

A drainage plan shall be developed and submitted with the Preliminary Plat Plan for each subdivision by the Owner's Engineer. The plan shall take into consideration the ultimate or saturated development of the tributary area in which the proposed subdivision is located. Adequate provisions shall

be made to provide drainage easements needed within the subdivision, taking into consideration the saturated development of the tributary area.

The storm and sanitary sewer plans shall be worked out prior to the development of the other utility plans. Engineering considerations shall give preferential treatment to these gravity flow improvements, as opposed to other utilities and improvements.

Off-Premise drainage easements and improvements **may** be required to handle the runoff of subdivisions into a natural drainage canal. But in no case shall storm drainage be emptied into the sanitary sewer or vice versa.

Low areas subject to periodic inundation shall not be developed or subdivided unless and until the Planning Commission establishes that:

- A. The nature of the land use (i.e., recreational areas) would not lend itself to damage by water inundation to an appreciable extent;
- B. The area may be filled or improved in such a manner to prevent such periodic inundation; or
- C. Minimum floor elevations be required to prevent damage to buildings and structures.

The Planning Commission **may** require of the Developer whatever engineering information it deems necessary to make an educated decision on subdivisions and other development which contains an area of questionable drainage. Lakes, ponds, and similar areas will be accepted for maintenance **only if** sufficient land is dedicated as a public recreation area, or if such area constitutes a necessary part of the drainage control system. An erosion and sedimentation plan **may** be required as stipulated in **Section 5.35** of these regulations.

Section 5.35 Storm Water Management

A. General

All property development which replaces pervious or semi-pervious surfaces with less pervious surfaces like pavement or roofs produces both increased runoff volume and increased peak runoff rates. The adverse effects of these increases, which include flooding and erosion, are cumulative as more of a particular drainage basin is developed. The costs of mitigating these adverse effects shall not be borne by the taxpayers. The developer, who is in a position to profit from the development, shall be responsible for the mitigation of adverse storm water effects caused by the construction of the proposed development. All developers and their authorized agents are responsible for ensuring that the proposed development manages this increased runoff volume and rate using good engineering practice subject to the review of the City of Argo and/or any authorized agent thereof.

B. Definitions

For the purpose of this section, the following definitions shall apply. Words used in the singular shall include the plural, and the plural shall include the singular. Words used in the present tense shall include the future tense. The word "shall" is mandatory and not discretionary. The word "may" is permissive. Words not defined herein shall be construed to have the meaning given by common and ordinary use.

1. **As-Built Drawing** – a plan based on field measurements depicting conditions as they were actually constructed.
2. **Best Management Practices (BMP's)** – physical, structural and/or managerial practices that, when used singly or in combination, prevent or reduce the pollution of water

3. **Channel** – a natural or artificial watercourse with a well-defined bed and banks that conducts flowing water continuously or periodically.
4. **Design Storm** – a hypothetical storm event of a given return period and duration which is used in the design of storm water facilities.
5. **Developer** – the person or legal entity applying to the Argo Planning Commission for preliminary plat approval.
6. **Discharge** – to dispose, deposit, spill, pour, inject, seep, dump, leak or place by any means, or that which is disposed, deposited, spilled, poured, injected, seeped, dumped, leaked or placed by any means including any direct or indirect entry of any solid or liquid matter into the municipal separate storm sewer system.
7. **Drainage Area** (aka Watershed) – all of the land area that contributes runoff to a particular point.
8. **Drainage Outfall** – any outlet point on the subject property's boundary where storm water is discharged
9. **Easement** – an acquired privilege or right of use or enjoyment that a person, party, firm, corporation, city or other legal entity has in the land of another.
10. **Erosion** – the removal of soil particles by the action of water, wind, ice or other geological agents, whether naturally occurring or acting in conjunction with or promoted by the activities or effects of man.
11. **Hydraulics** – the characteristics of flowing water.
12. **Hydrology** – an earth science encompassing the occurrence, distribution, movement and properties of the waters of the earth and their environmental relationships.
13. **Land-Disturbing Activity** – any activity that results in a change in the existing earth cover, either vegetative or non-vegetative, and/or the existing earth topography on property. Land-disturbing activities include, but are not limited to, development, re-development, demolition, construction, re-construction, clearing, grading, filling and excavation.
14. **Maintenance** – any activity necessary to keep a facility or a portion thereof performing as originally designed. Maintenance shall include the complete re-construction of a facility if that is required to restore its originally designed performance. Maintenance shall also include the correction of any problem on the site property that may directly impair the proper functions of a storm water facility.
15. **Maintenance Agreement** – a document recorded in the land records that acts as a property deed restriction and which provides for long-term maintenance of storm water management facilities or practices.
16. **Manning's Formula** – Robert Manning's widely used 1889 formula for the computation of uniform flow characteristics in open channels: $V = 1.49/n \times R^{2/3} \times S^{1/2}$; where V is the mean flow velocity in feet per second, n is the dimensionless coefficient of roughness, R is the hydraulic radius in feet and S is the dimensionless slope of the grade or energy line.
17. **Municipal Separate Storm Sewer System (MS4)** – the conveyances owned or operated by the city for the collection and transportation of storm water including roads, streets and their drainage systems, catch basins, curbs, gutters, ditches, man-made channels, natural channels and storm drains.

18. **Off-Site Drainage** - runoff originating outside of the project property boundary that flows through and/or across the project property.
19. **Off-Site Facility** – a structural BMP located outside the subject property boundary.
20. **On-Site Facility** – a structural BMP located within the subject property boundary.
21. **Peak Flow** – the maximum, instantaneous water flow rate at a particular point resulting from a storm event.
22. **Post-Development Runoff Rate** – the peak flow of runoff, calculated using the Rational Method, from the project property or a portion thereof after all proposed improvements are constructed.
23. **Pre-Development Runoff Rate** – the peak flow of runoff, calculated using the Rational Method, from the project property or a portion thereof before development activity commences.
24. **Rational Method** – a method of runoff calculation using the following formula: $Q = C \times I \times A$ where Q is the peak runoff in cubic feet per second, C is the dimensionless runoff coefficient, I is the rainfall intensity in inches per hour and A is the subject drainage area in acres.
25. **Return Period** – a term used in hydrology to describe design events meaning the average interval in years within which a given storm event will be equaled or exceeded.
26. **Storm Water Management** – the implementation of engineered designs to maintain the quantity of storm water runoff to pre-development levels.
27. **Storm Water Runoff** – that portion of rainfall or melted snowfall on an area that flows off of the surface of that area into the municipal separate storm sewer system.
28. **Storm Water Detention** – a best management practice of collecting, holding and regulating the discharge of storm water runoff to mitigate its adverse affects.

C. Drainage System Design Report Required

A Drainage System Design Report that is separate from the plans and is sealed, signed over the seal and dated by a Registered Professional Civil Engineer in the State of Alabama is required for all development within the jurisdiction. The title page of this report shall clearly show the project name, project location, the engineer or engineering firm preparing the report and the date. This report shall be bound in an 8 ½ X 11 inch format. Maps or drawings included in the report may be in an 11 X 17 inch format folded to 8 ½ X 11. This report shall include:

1. A scale post-development drainage area map which delineates the post-development drainage area in acres that will drain to each storm water inlet, flume, culvert pipe inflow open end or major ditch within the project property. Off-site drainage areas shall be noted on this map. These drainage areas shall be lettered or numbered in a logical sequence for identification purposes and this lettering or numbering system shall be used throughout the drainage system design report and the plans.
2. A Rational Method drainage calculation for each inlet, flume, culvert pipe, drainage system pipe or major ditch proposed within the project property. The minimum drainage design storm event shall be the 25 year – 1 hour. Each calculation shall show the drainage area (or cumulative drainage area for components of drainage systems), the basis for the runoff

coefficient used, the basis for the time of concentration used and the basis for the rainfall intensity used. All runoff coefficients used shall conform to the published recommendations of the American Society of Civil Engineers. All Rational Method drainage calculations shall be based on the complete and ultimate build-out of the property regardless of any proposed construction phasing.

3. A hydraulic calculation demonstrating the adequate sizing of each flume, culvert pipe, drainage system pipe or major ditch proposed within the project property. Flumes shall be designed to pass the design flow at a depth less than 6 inches using a normal flow depth calculation at their minimum slope. Culvert pipes and drainage system pipes shall be designed to pass the design flow at acceptable headwater elevations by checking both inlet and outlet control conditions and using the higher of the two conditions for design. For pipe outfalls, the pipe design flow exit velocity shall be calculated and adequate protection designed for exit velocities exceeding 3 feet per second. Major ditches shall be sized to pass the design flow with a minimum of 1 foot of freeboard using a Manning's Formula normal flow depth calculation. The ditch design flow velocity at normal depth shall be calculated using Manning's Formula and ditches with design flow velocities exceeding 3 feet per second shall be lined. All Manning's roughness coefficients used shall conform to the published recommendations of the American Society of Civil Engineers.
4. A scale pre-development drainage area map which delineates the pre-development drainage area in acres that will drain to each proposed storm water outfall along the project property boundary. These drainage areas shall be lettered or numbered in a logical sequence for identification purposes and this system shall be used throughout the drainage system design report and the plans. Off-site drainage areas shall be noted on this map.
5. A pre-development, Rational Method drainage calculation for each proposed drainage outfall from the project property for the 2-year, 5-year, 10-year and 25-year return period design storms. The pre-development runoff coefficient used shall closely match the pre-developed condition of the property and be in accordance with published recommendations by the American Society of Civil Engineers. Each calculation shall show the drainage area, the basis for the runoff coefficient used, the basis for the time of concentration used and the basis for the rainfall intensity used. Off-site drainage areas shall not be included in the pre-development drainage calculations.
6. A short narrative explaining the proposed scheme and method(s) for ensuring that the pre-development runoff rates calculated for each drainage outfall are not exceeded by the post-development drainage system design. The narrative shall also include, in table form, a drainage system performance summary showing the pre-development vs. post-development peak discharge rates at each proposed drainage outfall for each return period design storm.
7. A post-development, Rational Method drainage calculation for each proposed drainage outfall from the project property for the 2-year, 5-year, 10-year, 25-year and 100-year return period design storms. Each calculation shall show the drainage area, the basis for the runoff coefficient used, the basis for the time of concentration used and the basis for the rainfall intensity used.
8. Detention routing calculations based on the Storage Indication Method for each proposed drainage outfall. These calculations shall show the stage vs. storage relationship, the stage vs. discharge relationship including tailwater conditions if applicable, the hydraulic adequacy of control structures, the inflow hydrograph with peak inflow rate, the outflow hydrograph with peak outflow rate, the maximum water elevation and the maximum water storage volume used.
9. Hydraulic calculations showing the capacity of the emergency overflow structure(s) to safely pass the 100-year, post-development, peak design flow. The design flow velocity and/or exit

velocity shall also be calculated for emergency overflow structures and protection shall be provided for exit velocities exceeding 3 feet per second.

10. Flotation calculations for any proposed outflow control structure other than a culvert pipe(s) or culvert pipe end treatments. Flotation calculations shall also be required for underground detention storage structures subject to high groundwater elevations or inundation. These flotation calculations shall show a minimum safety factor against uplift of 1.2.

D. Storm Water Management Requirements

All proposed development within the jurisdiction shall incorporate storm water management into its design at the time of the first submittal of plans or a preliminary plat.

All storm water management designs shall limit the post-development peak storm water discharge from the project property to less than or equal to the pre-development peak storm water discharge from the project property for design storms of 2-year, 5-year, 10-year and 25-year return periods. All emergency overflow structures shall be sized to safely pass the 100-year return period, post-development peak flow to the structure. If such existing topographic conditions within the development or adjacent to the development are present, including but not limited to an existing floodplain, major drainage basin, etc.; then the applicant and/or applicant's engineer may submit in writing a request to waive the requirement that post development discharge be less than pre-development discharge. The request must be accompanied by engineering calculations sealed by a licensed Professional Engineer in the State of Alabama supporting the request to waive this requirement.

The City may, at its discretion, approve plats with said topographic conditions if the following requirements are met:

- 1) The public interest would best be served by the approval of said plat with said waiver, and
- 2) the denial of said plat would amount to a substantial injustice or hardship to the property owner, and
- 3) based on the calculations and findings of the licensed Professional Engineer, downstream landowners would not be adversely affected by the development of the submitted plat."

Storm water management structures and/or devices shall be constructed as soon as possible after site clearing and grubbing and in conjunction with the storm sewer system. It is strongly recommended that open storm water detention basins be utilized as sediment trapping basins during construction. Open storm water detention basins used as sediment trapping basins shall be periodically cleaned of silt and debris during the construction period. It is strongly recommended that underground storm water detention structures not be utilized for sediment trapping purposes.

The maintenance of storm water management structures and/or practices for subdivisions shall be the responsibility of the developer until the proposed right(s)-of-way are formally accepted by the City of Argo. After formal acceptance, the maintenance of storm water management structures and/or practices for subdivisions shall be the responsibility of the homeowner's association of the development.

The maintenance of storm water management structures and/or practices for commercial developments shall be in accordance with a maintenance agreement.

The use of the information or requirements contained herein for the construction of any storm water management structure or device shall not constitute a representation, guarantee or warranty of any kind by the City of Argo, its officers, its employees or its agents as to the practicability, constructability, adequacy or safety of such structures and devices and shall not create liability upon or cause action against any such public body, office, employee or agent for any damage that results pursuant thereto. The

following shall govern acceptable storm water management practices within the jurisdiction of the City of Argo:

1. No storm water runoff calculation, regardless of methodology, which shows or purports to show that drainage features or structures downstream from the proposed project property are hydraulically adequate for post-development flows shall be accepted in lieu of proper storm water management as defined in these regulations. These schemes or designs merely transfer the adverse effects of a development downstream onto other property owners or the rights-of-way of the City of Argo and other entities. The applicant or applicant's engineer may submit in writing a request to waive this requirement if it is demonstrated that a natural drainage feature downstream will be hydraulically adequate to accommodate post development flows without adversely impacting both existing natural drainage features and adjacent property owners. This request must be accompanied by engineering calculations sealed by a licensed Professional Engineer in the State of Alabama supporting the request to waive this requirement.
2. No off-site improvement scheme or design, including the replacement of existing pipes, shall be accepted in lieu of proper storm water management on-site as defined in these regulations. These schemes or designs merely transfer the adverse effects of a development downstream onto other property owners or the rights-of-way of the City of Argo and other entities.
3. All storm water management structures or devices must be designed for the ultimate build-out of the proposed project property. If the ultimate build-out of the proposed property involves uncertainty, the submitted design shall conservatively address both the hydrological and hydraulic worst-case scenario. No construction phasing scheme shall be accepted in lieu of proper storm water management as defined in these regulations.
4. All storm water management structures or devices must be located within the proposed project property boundary and within a common area. Agreements involving the use of neighboring or other property for storm water management purposes must be notarized and submitted to the City of Argo in writing prior to City approval. The City of Argo reserves the right to not recognize any such agreement(s) that may prohibit or impede future developments within the surrounding project area or which may adversely affect adjacent and/or downstream property owners. No storm water storage, management structure nor device shall be located within an existing or proposed City of Argo right-of-way. Any storm water storage, management structure or device which is proposed to be located either wholly or partially within a utility right-of-way shall only be allowed with the expressed, written consent of the utility entity. A copy of this written consent shall be included in the Drainage System Design Report.
5. Storm water management schemes or designs utilizing storm water infiltration into the ground shall be allowed only with adequate geotechnical investigation of existing in situ soils and accompanied with the concurrence of a licensed Geotechnical Engineer indicated in the Owner's Geotechnical Report. The City of Argo may accept a storm water management scheme or design utilizing storm water infiltration into the ground if the reports and evidence required above show that adjacent and/or downstream property owners will not be adversely affected by the scheme or design.
6. No storm water management scheme or design utilizing area within a saleable subdivision lot or portion thereof shall be allowed.
7. Storm water management design utilizing permanent lakes or ponds with permanently impounded water shall be permitted on a case by case basis. The applicant and/or applicant's engineer must submit in writing a request to utilize a permanently impounded water feature for storm water management to the City of Argo Building Department for conceptual review

and conceptual approval at least 30 calendar days prior to submitting the development's preliminary plat to allow for adequate review time.

The City's Building Inspector shall make a recommendation to the City regarding the proposal. The City may, at its discretion, allow the utilization of permanent lakes if recommended by the City's Building Inspector and if adjacent and/or downstream property owners will not be adversely affected by said allowance.

E. Underground Storm Water Detention Requirements

Storm water detention may be accomplished using underground pipes and/or chambers in accordance with the following:

1. Any proposed underground detention storage design shall include multiple maintenance access points utilizing standard manhole appurtenances including manhole steps. Manhole steps shall be polypropylene coated steel reinforcing rods with dimensions and pull-out ratings meeting or exceeding applicable OSHA standards. Manhole steps shall be installed at maximum 16 inch vertical intervals about a straight, vertical centerline.
2. Any proposed underground detention storage design shall include a safety grate or grates in its discharge structure. Safety grates shall be specifically designed to prevent access to an underground detention storage structure through its discharge structure(s).
3. Any proposed underground detention design shall include the emergency overflow capacity to safely pass the 100 year, post-development, peak inflow to the facility.
4. The adequate structural strength of all underground detention structures other than standard reinforced concrete, pre-cast, class III or IV, storm water pipe shall be demonstrated by detailed design calculations including a minimum factor of safety against uplift of 1.2 if applicable. These detailed structural design calculations shall be sealed and signed by a Registered Professional Engineer in the State of Alabama and shall be included in the Drainage System Design Report.
5. Any proposed underground detention storage design shall include features that ensure the facility drains dry within 12 hours after the end of a storm event.

F. Above-ground Storm Water Detention Requirements

Storm water detention may be accomplished using open basins of any shape in accordance with the following:

1. All open storm water detention basins, regardless of size or location, shall be enclosed by a chain-link security fence utilizing 6 foot high fence fabric. This security fence shall include a practically-located, 12 foot wide, double-swing gate for maintenance access. Any discharge structures located outside the security fence shall include safety grates.
2. Open storm water detention basins shall be sized to accept the 25-year, post-development peak inflow utilizing a maximum design stage (water depth) of 4 feet. The top elevation of any embankments utilized to construct an open detention basin shall be a minimum of 1 foot – 6 inches above the calculated 25-year, post-development, peak inflow water elevation. Any embankment utilized to construct an open detention basin shall feature a trapezoidal cross-section with a minimum 12 foot top width. The maximum cross-slope of the top for drainage shall not exceed a 4% gradient. The minimum side slope of the interior of the basin shall be 3(horizontal) to 1(vertical) for the 6 vertical feet above the lowest outlet structure invert elevation. The minimum side slope of the interior of the basin beyond 6 vertical feet above the lowest outlet structure invert

elevation shall be 2(horizontal) to 1(vertical). The minimum side slope of all other basin cuts or embankments shall be 2(horizontal) to 1(vertical).

3. Open storm water detention basins shall include obvious and effective outflow control structures. All proposed outflow structures shall be constructed of reinforced concrete. No control structure utilizing the open end of a pipe shall include a round pipe smaller than 15 inches in diameter or an arch-pipe smaller than 22 inches by 13 ½ inches. Control structure designs proposing orifices smaller than 15 inches in diameter, width or height shall utilize weir boxes or risers. All proposed outflow structures utilizing risers or weir boxes shall include calculations in the Drainage System Design Report demonstrating a minimum safety factor against flotation of 1.2 using the 100-year, post-development peak water elevation in the basin.
4. Any open storm water detention basin design shall include the emergency overflow capacity to safely pass the 100-year, post-development, peak inflow to the facility with a minimum of 1 foot of freeboard below the proposed top of embankment elevation. The preferred method of emergency overflow shall be a trapezoidal spillway constructed in cut at either end of the basin embankment. This spillway shall feature a minimum of 3(horizontal) to 1(vertical) side slopes and adequate width and longitudinal gradient to pass the 100-year, post-development peak inflow to the basin. This spillway shall be lined with riprap. Other emergency overflow design configurations shall be evaluated on a case-by-case basis but shall include the capacity to safely pass the 100-year, post-development peak inflow to the basin with a minimum of 1 foot of freeboard.
5. Open storm water detention basins shall include design features to ensure that the basin drains dry within 12 hours after the end of a storm event.

Section 5.36 Erosion and Sedimentation

General erosion and sedimentation can be somewhat effectively controlled, but cannot be completely eliminated, either during active construction or after stabilization, from both a technical and economic standpoint.

Natural erosion during storm water runoff has always occurred and will continue at low rates from well stabilized areas. It may cause stream turbidity, scour and sedimentation regardless of the control measures applied. During construction accelerated erosion will occur during storm water runoff with a proportionate increase in visible erosion, scour and situation both within and outside of the construction sites.

Sections 5.37 to 5.49 impose requirements on persons engaged in land disturbing activities which require planning and implementation of effective sedimentation controls do not apply to agriculture and horticulture.

Section 5.37 Protection of Property

Persons engaged in land-disturbing activities shall take all reasonable measures to protect all public and private property, including roadways, from damage by such activities.

Section 5.38 More Restrictive Rules Shall Apply

Whenever there is a conflict between Federal, State, or Local Laws, ordinances, rules and regulations, orders, and decrees, the more restrictive provision shall apply.

Section 5.39 Basic Control Objectives

- A. **Identify Critical Areas-** On-site areas which are subject to severe erosion, and off-site areas which are especially vulnerable to damage from erosion and/or sedimentation, are to be identified and receive special attention.
- B. **Limit Exposed Areas-** All land disturbing activities should be planned and conducted to minimize the size of the area to be exposed at any one time.
- C. **Limit Time of Exposure-** All land disturbing activities should be planned and conducted to limit exposure to the shortest feasible time.
- D. **Control Surface Water-** Surface water runoff originating upgrate of exposed areas should be controlled to reduce erosion and sediment loss during the period of exposure.
- E. **Control Sedimentation-** All land disturbing activities should be planned and conducted so as to minimize off-site sedimentation damage.

Section 5.40 Mandatory Standards

- A. No land disturbing activity shall be permitted in proximity to a lake, natural watercourse, or adjacent property where applicable unless measures are taken along the boundary; by the developer, to confine and/or control siltation and/or prevent or control erosion, resulting from such land disturbing activities. These measures shall be approved by the Planning Commission.
- B. The angle for graded slopes shall be no greater than the angle which can be retained by vegetative cover or other adequate erosion control devices or structures. In any event, slopes left exposed will, within the shortest feasible time of final grading, be planted or otherwise provided with ground cover, devices, or structures sufficient to restrain erosion.
- C. Whenever land-disturbing activity is undertaken on a tract comprising more than one acre, if more than one contiguous acre is uncovered, a ground cover sufficient to restrain erosion shall be planted or otherwise provided within thirty (30) days on that portion of the tract upon which further active construction is not to be undertaken, provided, that this activity shall not apply to cleared land forming the basin of a reservoir later to be inundated.

Section 5.41 Design and Performance Standards

Erosion and sedimentation control measures, structures, and devices shall be so planted, designed, and constructed as to provide control from the calculated peak rates of runoff from a ten year frequency storm. Runoff rates may be calculated using the procedures from the USDA, Soil Conservation Service's "National Engineering Field Manual for Conservation Practices", or other accepted calculation procedures. Runoff computations shall be based on rainfall data published by the National Weather Service for the area.

Section 5.42 Borrow and Waste Areas

When the person conducting the land-disturbing activity is also the person conducting the borrow or waste disposal activity, areas from which borrow is obtained shall be considered part of the land disturbing activity where the borrow material is being used, or from which the waste material originated. When the person conducting the land disturbing activity is not the person obtaining the borrow and/or disposing of the waste, these areas shall be considered a separate land disturbing activity.

Section 5.43 Access and Haul Roads

Temporary access and haul roads, other than public roads, constructed or used in connection with any land-disturbing activity shall be considered a part of such activity.

Section 5.44 Operation in Lakes and Natural Watercourses

Land-disturbing activity in connection with construction in, on, over, or under, a lake or natural watercourse shall be planned and conducted in such a manner as to minimize the extent and duration of disturbance of the stream channel. The relocation of a stream, where relocation is an essential part of the proposed activity, shall be planned and executed so as to minimize changes in the stream flow characteristics, except when justification for significant alteration to flow characteristics is provided.

Section 5.45 Responsibility for Maintenance

The person, engaged in or conducting the land-disturbing activity shall be responsible for maintaining all temporary and permanent erosion and sedimentation control measures and facilities, after site development of the site. The responsibility for maintaining all permanent erosion and sedimentation control measures and facilities, after site development is completed, shall lie with the landowner, until such time adequate vegetation cover and site stabilization is achieved as determined by the Building Inspector, and approved.

Section 5.46 Standards for Erosion and Sediment Control Practices

Persons engaged in planning, designing, installing and maintaining sedimentation control measures may use generally accepted references on the subject following standard engineering and/or agricultural practices. All plans will be subject to review by the Building Inspector and approved by the Argo Planning Commission.

Section 5.47 Additional Measures

Whenever the Building Inspector determines that significant sedimentation is occurring as a result of a land-disturbing activity, despite application and maintenance of protective practices, the person conducting the land-disturbing activity or the person responsible for maintenance shall be required to take additional protective action to achieve the desired results.

Section 5.48 ADDITIONAL MEANS OF INGRESS AND EGRESS

For any proposed division of real property within the jurisdictional limits of these Subdivision Regulations, regardless of the initial number or parcels to be divided, into a multi-parcel development (the "Development") wherein, due to the number of lots being created, the nature of the Development, and/or the nature, kind or character of the surrounding community, it is recommended by the City's engineer due to health and life safety concerns and thereafter approved by the Planning Commission, multiple means of ingress and egress into the proposed Development shall be provided for the benefit of the provision of emergency services.

Residential developments where the numbers of dwelling units exceed thirty-five (35) shall be provided with no less than one secondary means of access by way of an approved Fire Apparatus Access Road. The fire apparatus access road shall provide alternative means of ingress and egress for emergency personnel as well as the public should the primary means of access become unavailable. If a fire apparatus access road is recommended and approved by the Fire Chief and the Planning Commission, the same may be provided with a control device (i.e. a gate) to prevent the general use of access except in times of need and may be constructed to a lesser degree (pavement thickness, etc.) as otherwise required herein subject to the recommendation of the City's engineer.

Nothing herein shall be construed so as to limit the number of means of access servicing a development as recommended by the City's engineer pursuant to sound engineering practices.

Section 5.49 Plan Requirements

- A. Whenever the area to be disturbed comprises more than one (1) acre, a copy of the plan shall be filed with the Building Inspector a minimum of thirty (30) days prior to beginning any land-disturbing activity. A copy of the plans shall also be on file at the job site. If the Building Inspector determines, either upon review of such plan or on inspection of the job site, that significant risk of off-site sedimentation or erosion exists, a revised plan will be required. Pending the preparation of the revised plan, the work shall be either suspended or continued under conditions outlined by the Building Inspector.
- B. Erosion and sediment control plans shall contain architectural and engineering drawings, maps, assumptions, calculations, and narrative statements as needed to describe adequately the proposed development of the site and the measures planned to meet the basic control objectives. Plan content may vary to meet the need of specific site conditions.

ARTICLE VI

REQUIRED IMPROVEMENTS

Section 6.0 General

- A. The subdivider is required to install or construct the improvements hereinafter described prior to having released the bond or other securities which guarantee installation of such required improvements.
- B. The improvements required shall be constructed in accordance with the standards set forth in these regulations, and under the inspection of the Building Inspector or his duly authorized representative and the City Engineer.
- C. All water mains, sanitary sewers and laterals, fire hydrants, and storm sewers shall be installed in such a manner to minimize the probability of the future cutting of the pavement of any street, sidewalk, or other required pavement.

Section 6.1 Streets and Alleys

On all streets and alleys within the jurisdiction of these regulations, a suitable hard surface permanent type of pavement shall be constructed in accordance with the City of Argo's design and construction standards outlined in Article V of these regulations.

Section 6.2 Centerline Striping

The final wearing surface shall be striped with a permanent traffic stripe in accordance with **ALDOT SPEC 856 AND 857**, and applied in accordance with **SEC. 701**, when deemed necessary by the Planning Commission, Chief of Police, and Director of Streets. Stop bars shall also be placed in accordance with **Sec. 703**.

Section 6.3 FIRE HYDRANTS

6.3.1 GENERAL

- A. When a project or development will be served by an existing hydrant(s), then that fire hydrant(s) must be either upgraded or replaced to meet the current standards for fire hydrants in the City of Argo.

- B. Fire hydrants shall be located within the public right-of-way, on the “short side” of the water main, unless otherwise approved by the Building Inspector. Hydrants are to be located at each intersection within a subdivision as approved by the Building Inspector and the Fire Marshall.
- C. Fire flow requirements are to be calculated based upon the square footage of the largest structures to be built within the planned subdivision along with density and separation of structures. The Fire Marshall will evaluate whether the existing system will meet the flow required or if system improvements are required.
- D. The Developer shall be responsible for the maintenance of said fire hydrants for a minimum period of **two (2) years**, beginning with the date of installation or until the acceptance of the Subdivision by the City of Argo whichever the later.
- E. Flow testing of existing and new hydrants shall be conducted by or under the direct supervision of personnel of the Fire Department.

6.3.2 DISTRIBUTION AND INSTALLATION

- A. For single family homes and duplexes, a fire hydrant is required within 300 feet of any structure, and spaced no further than 500 feet apart.
- B. For all other buildings from triplexes to commercial uses, a fire hydrant is required within 150 feet, but no closer than 40 feet to any structure. The measured distance is to be along a route which would be traveled by fire equipment.
- C. Fire hydrants in commercial areas shall normally be spaced 300 feet apart.
- D. Water mains serving more than 1 fire hydrant shall be looped unless otherwise approved by the Building Inspector.
- E. Dead-end runs in excess of 50 feet shall be discouraged. If allowed, they must meet the required fire flow.

6.3.3 SPECIFICATIONS

- A. Hydrants shall be the “Traffic Model” type with approved breakaway features, with a center operating nut. All hydrants shall be brass to brass subseat, minimum valve opening of 5-1/4 inches “O” ring stem seal, 6 inch mechanical or flange show connection, 1-1/4 inch pentagon operating nut. **The following types of hydrants are acceptable:**

M & H

Mueller

American Darling

- B. All fire hydrants shall have at least two -2-1/2” hose ports with caps, which shall have National Standard male threads and a pumper port provided with a five inch Storz assembly including a tethered adapter cap.
- C. All hydrants, when installed, must be covered by a burlap bag or other suitable covering until accepted by the City and placed in service.

- D. All hydrants shall be installed with resilient seat or resilient wedge type gate valves. Fire hydrant cut off valves are to be placed at the "Tee" where the tap for the fire hydrant is made on the water main. This "Tee" is known as a "fire hydrant tee".

6.3.4 FIRE HYDRANT GUARD POSTS

Hydrant guard posts, when required, shall be either reinforced concrete posts 8" diameter 5' long, or 6" diameter x 5' long Schedule 40 steel pipe, concrete filled, and located where required in commercial building applications.

6.3.5 BLUE REFLECTIVE PAVEMENT MARKERS FOR HYDRANT LOCATION

Blue raised reflective pavement markers shall be installed by Fire Department personnel upon acceptance testing of the hydrant.

ARTICLE VII

GUARANTEE OF COMPLETION OF IMPROVEMENTS

Section 7.0 General

The sub-divider/developer shall be responsible for the provision, completion and working order of all required improvements (the "Improvements") to the subdivision. This may be accomplished by either the full installation of all required improvements by the sub-divider/developer at the time that the final plat is to be submitted to the Argo Planning Commission in accordance with Article VII Section 7.1 or by the provision of a financial guarantee of performance in accordance with Article VII Section 7.2.

Section 7.1 Financial Guarantee of Performance when Improvements are Completed Before Final Plat Approval

The developer/sub-divider must ensure the Improvements remain maintained and in good repair until acceptance thereof by the City. To ensure the Improvements remain maintained and in good repair during the construction of the development and before acceptance by the City, in the event the sub-divider / developer completes the subdivision improvements prior to submitting its application for Final Plat Approval, the sub-divider / developer shall provide security in the form of a certificate of deposit (the "DEPOSIT") or an Irrevocable Letter of Credit (the "Surety"). The DEPOSIT or Irrevocable Letter of Credit must meet the following criteria.

- A. The Surety must be automatically renewing, approved by the City Council, in the sole and exclusive name of the City of Argo and be the kept in force until final acceptance of the Improvements.
- B. The Surety must be the amount of Two Thousand and No/100 Dollars (\$2,000) per lot identified in the Preliminary Plat.

Upon the sub-divider / developer's making of the security, the City shall execute a Surety Agreement attached hereto as Exhibit "A".

Upon the sub-divider/developer completing the Improvements in accordance with the approved preliminary plat and these Regulations and completing all other requirements for Final Plat approval set forth in these Regulations, the Planning Commission shall approve the Final Plat and recommend to the City Council that the Improvements be accepted in accordance with and pursuant to Article VIII. Upon acceptance of the Improvements by the City in accordance with Article VIII, the proceeds from the deposit, if applicable, shall be released to the sub-divider / developer along with any and all accrued interest.

Notwithstanding anything to the contrary herein, the Improvements shall be completed pursuant to the Regulations and shall remain in good and working condition for one (1) calendar year prior to the City accepting the same. Should the Improvements fail during said time period, the sub-divider/developer is responsible for repairing the Improvements immediately and returning them to good and working condition. If the Improvements are not maintained in a good and working condition during this period of time, the City Council may use the proceeds from the Surety to repair the Improvements and return them to a satisfactory condition upon thirty (30) days written notice to the developer/sub-divider. If the City chooses to use the proceeds from the Surety to complete the Improvements but said proceeds are inadequate, the sub-divider / developer may be required to provide up-front the estimated deficiency prior to the City taking the proceeds from the Surety. Any residue of the proceeds of the Surety, if any, shall be returned to the sub-divider / developer after completion of the Improvements.

Section 7.2 Financial Guarantee of Performance when Improvements are not Completed Before Final Plat Approval

The developer/sub-divider must ensure the Improvements remain maintained and in good repair until acceptance thereof by the City. If the Improvements, including but not limited to streets, are not completed pursuant to the Regulations at the time of Final Plat approval, the sub-divider / developer must guarantee performance of the Improvements by providing the City with security (the "Security") in the form of a deposit (the "DEPOSIT") with an FDIC insured institution which shall meet the requirements set forth in A-C below or, he / she shall acquire an Irrevocable Letter of Credit ("ILOC") which shall meet the requirements set forth in D-F below.

DEPOSIT:

- A. The deposit must be automatically renewing, approved by the City Council, in the sole and exclusive name of the City of Argo, Alabama and kept in force until final acceptance of the Improvements.
- B. The value of deposit shall not be less than 150% of the projected cost of completion of the subdivision improvement(s).
- C. The value of the deposit shall be reviewed / updated every 24 months to reflect changes in the cost of completion of the applicable subdivision improvements. The sub-divider / Developer shall provide to the City updated estimates from a licensed contractor for the completion of any unfinished improvements. Any reduction in projected costs shall result in a refund or reduction in proceeds from the deposit which shall be payable to the sub-divider / Developer and any increase in projected costs will require a commensurate increase to the deposit.

ILOC:

- D. The ILOC shall be in an amount not less than 150% of the projected cost of completion of the subdivision improvement(s).
- E. The ILOC shall be renewable, with a lending institution approved by the City and shall name the City as the beneficiary thereof; failure of the Developer to renew the same in a timely manner shall be an event of default.
- F. The value of the ILOC shall be reviewed / updated every 24 months to reflect changes in the cost of completion of the applicable subdivision improvements. The sub-divider / Developer

shall provide to the City updated estimates from a licensed contractor for the completion of any unfinished improvements. Any reduction in projected costs shall result in a reduction to the ILOC and any increase in projected costs will require a commensurate increase to the ILOC.

Upon the sub-divider / developer's making of the Security, the City shall execute a Surety Agreement attached hereto as Exhibit "A".

Notwithstanding anything to the contrary herein, should a developer have previously failed to comply with the Subdivision Regulations including but not limited to failing to satisfy the provisions of this Section 7.2, the Planning Commission may require said developer utilize the deposit option exclusively for provision of a Security.¹

Upon the sub-divider/developer completing the Improvements in accordance with the approved preliminary plat and these Regulations, the Planning Commission shall recommend to the City Council that the Improvements be accepted in accordance with and pursuant to Article VIII. Upon acceptance by the City Council, the proceeds from the deposit, if applicable, shall be returned to the sub-divider/developer along with all interest accrued thereon.

If after twelve (12) months from the date of Final Plat Approval the sub-divider/developer has failed to complete the Improvements in a satisfactory manner and pursuant to the Regulations, the proceeds from the Security may be used by the City to complete the Improvements in a satisfactory fashion. The Planning Commission and/or City Council may grant extension periods for cause. If the City chooses to use the Security to complete the Improvements but the Security is inadequate, the sub-divider / developer may be required to provide up-front the estimated deficiency prior to the City taking the proceeds from the Security. Any residue of the Security, if any, shall be returned to the sub-divider / developer after completion of the Improvements.

ARTICLE VIII

GUARANTEE AGAINST FAULTY MATERIAL

Section 8.0 General

Final approval of street improvements shall be granted only in accordance with one of the following provisions:

- A. In any case in which the Planning Commission and/or the City Council may have reasonable doubt concerning the stability or proper construction of any improvement required herein, the City Council may require a maintenance bond for **five (5) years for street construction maintenance and one (1) year for sewer lines and facilities**. This bond shall be in **cash** or made by a surety company authorized to do business in the State of Alabama.
- B. The developer shall provide to the City Clerk a letter or statement in which said developer, shall agree to maintain backfill to the level of finished grade and to maintain improvements located thereon or therein of any excavation or fill, which has been made in connection with the installation of improvements; and such letter or statement shall be binding to the developer for a period of **one (1) year** after the acceptance of such improvements by the City of Argo.

¹ For purposes of this section, "Developer" shall also include any entity that has consistent ownership with a previous entity which has developed within the City.

ARTICLE IX

VARIANCES

Section 9.0 Hardship

When the Planning Commission finds that unusual hardships or practical difficulties may result from strict compliance with these standards or the purpose of these standards may be served to a greater extent by an alternative proposal. The Commission may waive certain standards required by these regulations so that substantial justice may be done and the public interest secured. However, such a waiver shall not have the effect of nullifying the intent or purposes of these regulations. The Planning Commission shall not approve a waiver unless it shall make findings based upon the evidence presented to it in each specific case that the following criteria be met:

- A. The granting of the waiver will not be detrimental to the public health, safety, or general welfare or be injurious to other property.
- B. The conditions upon which the request for a waiver is based are unique to the property for which the waiver is sought and are not applicable generally to other property.
- C. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from mere inconvenience, if the strict letter of these regulations are enforced.
- D. The waiver will not in any manner interfere with the provisions or, purpose of the comprehensive development regulations of the City. In approving a waiver, the Planning Commission may impose such reasonable conditions as may be necessary to substantially secure the purpose of these standards. A written request for a waiver shall accompany the application for plat approval.
- E. No waiver will be granted if a hardship is self-created, or if the hardship is purely economic in nature.

Section 9.1 Large Lot Subdivisions

The Planning Commission recognizes the City of Argo desires to encourage the growth and development of large lot subdivisions. The Planning Commission also recognizes the unique nature of subdivisions consisting exclusively of lots at least the size of estate-sized lots as defined in the City of Argo Zoning Ordinance.. When the Planning Commission finds that the criteria of Section 9.0 of this Article are met, and the hardship is of a sort which by its nature is unique to subdivisions consisting exclusively of large, estate-sized lots, the Commission may consider a waiver of strict compliance with these regulations to encourage the growth and development of such large lot subdivisions. Notwithstanding the above, the pavement design and requirements described herein shall not be amended.

ARTICLE X

PENALTIES FOR TRANSFERRING LOT IN UNAPPROVED SUBDIVISION

Whenever the owner, or agent of the owner, of any land located within the jurisdictional limits applicable to these Subdivision Regulations, transfers or sells any land or portion thereof without first complying with these Subdivision Regulations, the same shall forfeit and pay as a penalty a sum not to exceed One Hundred and No/100 Dollars (\$100.00) per day (at the discretion of the Planning Commission for the City) for each lot or parcel so transferred or sold in violation of these Subdivision Regulations. The Building Inspector may refer such violation to the Planning Commission at his/her sole and discretion or upon the request of the alleged violator. The description of such lot or parcel by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring, shall not exempt the transaction from such penalties, or from the remedies herein provided. The municipal corporation may also seek to enjoin any such transfer or attempted transfer or sale or agreement to sell by action brought in the St. Clair County Circuit Court and may also recover the above referenced penalty in said court.

APPENDICIES

APPENDIX A

WATER REQUIREMENTS

Section A1.0 Water Mains

The design and specifications of the distribution system shall meet the water system requirements. Water mains shall be extended the full length or width of the pavement. Water mains shall meet the requirements of the City Engineer and applicable water utilities.

- A. In new subdivisions, all new water mains, valves, fittings, fire hydrants, service laterals, service tubing, casings, tapping saddles, curb stops, corporation cocks, meter boxes, labor, indicator wire shall be installed at the Developers expense. (See Article VI, section for regulations pertaining to Fire Hydrants).
- B. All installation of materials in above must be performed by a licensed contractor whom has been approved by the City of Argo and the applicable water utilities.

Section A1.1 Pipe Size and Type

- A. All water main extensions shall be six inches (6") in diameter or larger, with water main pipe sizes pertaining to any specific subdivision approved by the City Engineer and applicable water utilities.
- B. All water pipe installed and classified as water main in the Argo water distribution system shall be Ductile Iron Pipe, Pressure Class 350.
- C. Twelve (12) gauge indicator wire shall be installed in the ditch with all water main and service lateral installations and pulled up into each valve box and extending a minimum of 18" above finished grade.

Section A1.2 Tapping Unconnected Water Mains in New Subdivisions

- A. In new subdivisions, the utility contractor or plumbing contractor acting as an agent for the utility contractor, shall make taps on water mains and install copper tubing and indicator wire to the meter location.
- B. The Developer shall provide, at his own expense, the copper tubing for the service line, the curb stop, corporation cock, meter box, and tapping saddle.
- C. All makes, sizes, and types of materials used by the developer or utility contractor shall be approved by the Building Inspector, or his agent, and shall be in accordance with specifications of the Argo Building Department.
- D. Each lot in a subdivision shall have an individual tap. (No single taps with "Y"s or "T"s).
- E. Taps made under this Section shall be ¾" and one (1) inch only.

Section A1.3 Tapping Onto Existing City Water Mains

- A. No developer, utility contractor, plumbing contractor, his agent, or any other person shall attach any fittings, fixtures, or appliances to any existing City water mains or change locations thereof; or in any manner alter or interfere with any water main or any service connected to the City of Argo's Water System without the approval of the City Engineer.
- B. Any and all work performed in conjunction with the water utilities must be applied for in advance.

Section A1.4 Inspections and Inspection Fees

- A. All installation of water mains, fire hydrants, valves, fittings, taps and laterals shall be subject to visual inspection by the Argo Building Inspector or his agent.
- B. There will be an inspection fee in the amount that is equal to 10% of the actual cost of the installation of the water and/or sewer system in the development and is payable prior to approval of the Preliminary Plat. Inspection Fee totals are to be approved by the Building Inspector.
- C. All water pipes and fixtures on the premises shall at all reasonable hours be subject to inspection by the Argo Building Inspector, or his agent.

Section A1.5 Maintenance and Warranty

- A. The Building Inspector shall be notified in writing of any completion date by the Developer.
- B. Any Maintenance and/or Warranty time periods that may relieve the developer of any responsibility of materials and workmanship **will not begin** until written notification referred to in item "A" above is submitted to the Building Inspector.
- C. The Developer shall be responsible for any and all maintenance of parts, materials, fixtures, workmanship, and labor on the entire project for one (1) year from the date of notification of completion of the project.

Section A1.6 Rebate and Recovery

The City of Argo does not have a rebate or recovery program for funds spent by the Developer.

Section A1.7 Disinfections, Check Samples, Pressure Testing

- A. All new water mains shall be disinfected in complete compliance with all State of Alabama Regulations.
- B. Check samples shall be taken by the contractor and delivered to the Alabama State Health Department laboratory for testing and evaluation.
- C. Sample results shall be provided to applicable water utility by the contractor or his agent.
- D. New water mains shall be pressure tested as follows:
 - 1. Pressure Class 350 Ductile Iron Pipe at 200 lbs.
 - 2. Covered pipes are to be pressure tested for six (6) hours.
 - 3. Water loss will not exceed 10 gallons per inch of pipe diameter per mile per twenty-four (24) hours.

Section A1.8 Engineering

- A. The developer shall furnish all engineering data such as:
 - 1. Subdivision design and lot lay-out.
 - 2. Complete water system design to include proposed locations of water mains, fire hydrants, valves, service laterals.

3. System hydraulic with calculations at lowest and highest points.
 4. Fire flow calculations, as required by the water utility, at the lowest and highest points in the subdivision.
- B. All plans and drawings shall be completed by an Alabama licensed Professional Engineer and must contain the engineer's seal.
- C. All completed drawings, which must include a complete set of "Swing Ties" shall be submitted to the City Engineer and the Building Inspector for final approval.

APPENDIX B

SEWER REQUIREMENTS

Section B1.0 Gravity Flow in New Subdivisions

- A. In new subdivisions, all new gravity flow sewer mains, man-holes, rings and lids, service lateral stub-outs, service tee's, labor, indicator wire, stone, shall be installed at the Developer's expense.
- B. All manholes which will be located in the street shall have a bolt-down type lid.

Section B1.1 Inspection

All installation of sewer mains, manholes, rings and lids, service lateral stub-outs, indicator wire, back filling and clean up shall be inspected by the City Engineer/Building Inspector or their duly authorized agent.

There will be an inspection fee in the amount that is equal to 10% of the actual cost of the installation of the water and/or sewer system in the development, and is payable prior to approval of the Preliminary Plat. Inspection Fee totals are to be approved by the Building Inspector.

Section B1.2 Engineering

All engineering must be completed and submitted for approval to the City Engineer/Building Inspector, or their agent, prior to any construction.

Section B1.3 Pipe Size and Type Mains

These are to be determined by the City Engineer and the Building Inspector.

Section B1.4 Pipe Size and Type-Service laterals

- A. All domestic single-family dwelling service laterals shall be a minimum of four (4") inches.
- B. The type of pipe shall be determined by the City Engineer and the Building Inspector.
- C. Twelve (12) gauge indicator wire must be installed in ditch line with all sewer mains and service laterals.

Section B1.5 Tapping Unconnected Sewer Mains in Subdivisions

- A. In all new subdivisions, the utility contractor, or plumbing contractor acting as agent for the utility contractor, shall make service lateral stub-outs on sewer mains not connected to the sewer systems.
- B. All service lateral stub-outs shall be connected to the main in a "Tee" installed in the sewer main.
- C. Service taps shall not be made in a man-hole.
- D. All service lateral stub-outs on main side of road shall be a minimum of four feet (4') in length and extend beyond the gutter drains or drainage ditches.
- E. All service lateral stub-outs which cross under a street or road must be ductile iron pipe and extend a minimum of four feet (4') beyond the existing pavement, intended pavement, or extend beyond the gutter drain or drainage ditches.

- F. The City Engineer shall have approval authority on all service lateral materials.
- G. All service lateral stub-outs shall be installed at a depth and on a grade as to allow gravity flow sewer service from the intended dwelling to the sewer main.
- H. All service laterals crossing under a street or road shall have indicator wire in the ditch line.
- I. Project drawings complete with swing-ties of all service lateral stub-out locations shall be provided to the City Engineer who shall have approval authority.
- J. Taps made under this Section shall be a minimum of four inches (4") only.

Section B1.6 Maintenance and Warranty

- A. The contractor shall be responsible for any and all maintenance of parts, materials, fixtures, workmanship and labor on the entire project for one (1) full year from the date the City receives notification of completion of the project.
- B. The Building Inspector shall be notified in writing of any completion date by the Developer.
- C. Any Maintenance and/or Warranty time periods that may relieve the Developer of any responsibility of materials and workmanship **will not begin** until the written notification referred to in item "A" above is submitted to the Building Inspector.

Section B1.7 Tapping Onto an Existing Main

- A. The contractor shall tie onto the existing City sewer main at a location determined by the City Engineer
- B. In the event that there is a distance to be covered from the subdivision property to the nearest existing city sewer, the developer shall, at his expense, install all the line and manholes from his property to the existing city sewer.
- C. The developer shall be responsible for acquiring all permits and easements pertaining to work done on city, county, and state right-of-ways.

Section B1.8 Rebate and Recovery

The City of Argo does not have a rebate or recovery program for funds spent by the Developer.

APPENDIX C

CERTIFICATES

FORM 1

OWNER'S CERTIFICATE

OWNER'S CERTIFICATE AND DEDICATION. We, the undersigned (name of owner) do hereby certify that we are the owners of and the only person having any right, title, or interest in the land shown on the plat of (name of subdivision), and that the Plat represents a correct survey of the above described property made with our consent, and that we hereby dedicate to the public use all the streets as shown on utilities. We hereby guarantee a clear title to all lands so dedicated from ourselves and our heirs or assigns forever, and have caused the same to be released from all encumbrances so that the title is clear, except as shown in the abstractor's certificate.

RESTRICTIONS: (If any, follow here)

Witness _____ hand _____ this _____

day of _____, 20 _____.

Witness _____

FORM 2

SURVEYOR'S CERTIFICATE

SURVEYOR'S CERTIFICATE, I _____ the

Undersigned, do hereby certify that I am a professional land surveyor or civil engineer and that the attached map of (name of subdivision) _____, consisting of _____ sheets, correctly represents a survey made under my supervision on the _____ day of _____, 20 ____; and that all the monuments shown hereon actually exist and their positions are correctly shown.

Signature: _____

Witness: _____

FORM 3 CERTIFICATION OF THE APPROVAL OF WATER AND SEWER SYSTEMS

I hereby certify that the water supply and sewerage disposal utility systems installed or proposed for installation of the subdivision Plat entitled _____ fully meet the requirements of the Alabama State Health Department; the City of Argo, and are hereby approved as shown.

_____, 20____.

St. Clair County Department of Health

FORM 4 CERTIFICATE OF APPROVAL FOR RECORDING

I hereby certify that the subdivision Plat for _____
Subdivision has been found to comply with the Subdivision Regulations for Argo, Alabama, with the
exception of *h* variances, if any, as are noted in the minutes of the Planning Commission, and that it has
been approved for according in the Office of Probate Judge of St. Clair County, Alabama.

_____, 20 _____.

Chairman, Planning Commission

Mayor, City of Argo

FORM 5 PERFORMANCE BOND

NOW ALL MEN BY THESE PRESENT:

That we, _____ as Principal and the undersigned Surety, *the* held and firmly bound unto the CITY of Argo, Alabama, hereafter called CITY, in the full sum of _____ DOLLARS (\$ _____), for the payment of which, well and truly to be made, we, and each of us *and* ourselves jointly and severally, by those presents.

Tender equity document this _____ day of _____, 20 _____

The conditions of this obligation are such that,

WHEREAS, PRINCIPAL has submitted to the Argo Planning Commission a preliminary Plat for subdivision of a tract of land described as follows: _____

AND, WHEREAS, PRINCIPAL has, pursuant to the Subdivision Regulations of the City of Argo, Alabama, elected to file this bond in lieu of actual completion of improvements *and* utilities in the above subdivision.

NOW, THEREFORE, if the PRINCIPAL shall within one (1) year from the date of approval of the final plat of the subdivision, faithfully install complete improvements and utilities in the subdivision according to the requirements ordinances, approved plans, specifications, subdivision rules and regulations of the City and pay all bills for contractors, subcontractors, labor and materials incurred in completion thereof; and shall hold harmless and indemnify the City and all interested property owner against liability, loss or damage by reason of failure of PRINCIPAL to faithfully perform the conditions hereof, then his obligation shall be null and void, otherwise to remain in full force and effect; PROVIDED, however, that

actions upon this bond by contractors, subcontractors, laborers or materialmen shall be limited to six months from and after completion of the improvements and utilities above referred

Signed, sealed and delivered this day and year first above written

Principal

ATTEST:

BY: _____

ATTEST:

Secretary BY: _____

Approved as to form and legality this _____ day of _____, 20_____.

Attorney

Approved by the CITY Council of the CITY of Argo this ____ day of _____, 20_____

ATTEST:

CITY Clerk

Mayor

FORM 6 MORTGAGE RELEASE

RELEASE OF MORTGAGE.

In consideration of the platting of the property shown on the annexed map of (name of subdivision), and other good and valuable considerations, receipt of which is hereby acknowledged _____ do hereby release, relinquish and forever discharge a certain mortgage made by _____ and dated this _____ day of _____ 20 _____, to _____ which is recorded in Book _____ of Mortgage at Page__ of the records of St. Clair County, State of Alabama, insofar as the same covers all property dedicated for streets, alleys, parks, boulevards, easements or other public use, as shown on said map.

Witness _____ hand _____ this _____

Day of _____, 20 _____.

FORM 7 CITY COUNCIL ACCEPTANCE OF PUBLIC DEDICATION

Be it resolved by the CITY Council of the City of Argo, Alabama, that the dedications shown on the attached plat of _____ (name of subdivision) are hereby accepted.

Adopted by the City Council of the City of Argo, Alabama, the _____ day of _____ 20 _____.

ATTEST:

City Clerk

Mayor

FORM 8 SEPTIC TANK CERTIFICATION

(APPLICABLE ONLY WHERE SEPTIC TANKS ARE TO BE USED)

I, _____, a registered engineer in the State of Alabama, certify that a soil survey of _____ subdivision has been completed by _____ on _____, 20____ and this test shows that a soil to be sufficiently porous to permit septic tanks for each lot shown on the plat.

Registration Number

Signature

FORM 9 CERTIFICATE OF CITY CLERK

I, _____, Clerk of the City of Argo, Alabama, State of Alabama, hereby certify that I have examined the records of the said City and find that all deferred payments or unmatured installations upon special assessments have been paid in full, and that there is no special assessment procedure now pending against the land as shown on the Plat of _____.

Date this _____ day of _____, 20____.

City Clerk

Witness

APPENDIX D

FORM 10 PRELIMINARY PLAT CHECKLIST

Subdivision Name

The preliminary plat shall be prepared by a land surveyor registered in the State of Alabama, drawn in ink or pencil on a reproducible material at a scale of not more than 100 feet to 1 inch, numbered in sequence if more than one sheet is used, and on standard size sheets acceptable for filing in the Office of Probate Judge. The original plat and five copies shall be submitted at least thirty (30) days before the Planning Commission hearing.

The plat shall contain the following information: (Check completed items)

- _____ 1) Proposed name of the subdivision and all new streets, as approved by the Planning Commission.
- _____ 2) Names, addresses, and signatures of all owners and authorized agents and name, address, signature, seal, and registration of land surveyor.
- _____ 3) North point, graphic scale, and date.
- _____ 4) Location of the subdivision by legal tie, quarter-quarter section, City ship, and range.
- _____ 5) Amount of acreage to be subdivided.
- _____ 6) The location and dimensions of all boundary lines of the property and the names of all adjoining all streets and subdivisions.
- _____ 7) The location of water bodies, streams, floodplain, areas subject to periodic inundation, and other natural site features deemed pertinent by the Planning Commission.
- _____ 8) Existing topography at five foot intervals based on field data referred to U.S.G.S. sea datum in sufficient detail to show the general character of the land.
- _____ 9) The location, dimensions, and areas of all proposed or existing lots, including building setback lines. All lots in each block shall be consecutively numbered or lettered, and outlets shall be alphabetically lettered within each block, as approved by the County Assessor.
- _____ 10) Blocks consecutively numbered or lettered in alphabetical order, as approved by the County Assessor. The blocks in numbered additions to subdivisions bearing the same name shall be numbered or lettered within each block, as approved by the County Assessor.
- _____ 11) The location and description of all monuments.
- _____ 12) Sufficient data to determine readily the location, bearing, and length of all lines an to reproduce such lines upon the ground. The length of all lines shall be to the nearest tenth, and the bearing of all angles shall be to the nearest minute.
- _____ 13) The location, function, and dimension of all existing and proposed public and common areas, including rights-of-way, easements, and areas for streets, utilities, drainage, parks, recreational facilities, schools, governments buildings, railroads, common open-space, common parking and driveway areas, and any other special rights-of-way, easements, and common areas.

- _____ 14) Zoning and proposed land use of all lots within the subdivision and zoning of all contiguous land.
- _____ 15) A vicinity map insert drawn at a scale of 2,000 feet to 1 inch showing the location of the subdivision in relation to streets and other general developments in the area.
- _____ 16) A check in an amount that is equal to 10% of the cost of installation of ALL utilities that come under the jurisdiction of the applicable utilities (Water/Sewer).
- _____ 17) Certification of ownership and offer of dedication, as follows:

I hereby certify that I am the owner of the property described hereon, which property is located within the subdivision regulation jurisdiction of the City of Argo, Alabama, that I freely offer this plat and dedicate to public use all such areas shown on this plat, and that I will maintain such areas until the dedication is accepted by the City Council.

_____, 20 ____

Owner

(Notarized)

Form for approval by the St. Clair County Health Department, if Private wells and sewage disposal proposed, as follows:

_____, 20 ____

Sanitary Engineer, St. Clair County Health Department

Form for endorsement by the Planning Commission, as follows:

Preliminary plat approved by resolution of the Argo Planning Commission on:

_____, 20 ____

Chairman, Planning Commission

Secretary, Planning Commission

FORM 11 FINAL PLAT CHECKLIST

Subdivision Name

The final plat shall be prepared by a land surveyor registered in the State of Alabama, drawn in india ink on tracing cloth or reproducible Mylar at the same scale and containing the same information shown on the preliminary plat, except for any changes or additions required by resolution of the Planning Commission. The original two sepia, and five copies of the final plat shall be submitted at least thirty (30) days before the Planning Commission hearing.

The plat shall contain the following information. (Check completed items)

- 1) Name of the subdivision and all new streets, as approved by the Planning Commission.
- 2) Names, addresses, and signatures of all owners and authorized agents and name, address, signature seal, and registration number of land surveyor.
- 3) North point, graphic scale, and date.
- 4) Location of the subdivision by legal tie, quarter-quarter section, Cityship, and range.
- 5) Amount of acreage to be subdivided.
- 6) The location and dimensions of all boundary lines of the property and the names of all adjoining streets and subdivisions.
- 7) The location of water bodies, streams, floodplain, areas subject to periodic inundation, and other natural site features deemed pertinent by the Planning Commission.
- 8) The location, dimension, an areas of all proposed or existing lots, including building setback lines. All lots in each block shall be consecutively numbered or lettered, and outlets shall be alphabetically lettered consecutively throughout the several additions.
- 9) Blocks consecutively numbered or lettered in alphabetical order, as approved by the County Assessor. The blocks in numbered additions to subdivisions bearing the same name shall be numbered or lettered consecutively throughout the several additions.
- 10) The name and location of all monuments
- 11) Sufficient data to determine readily the location, bearing, and length of all lines and to reproduce such lines upon the ground. The length of all lines shall be to the nearest tenth, and the bearing of all angles shall be to the nearest minute.
- 12) The location, function, and dimension of all existing and proposed public and common areas, including rights-of-way, easements, and areas for streets, utilities, drainage, parks, recreational facilities, schools, government buildings, railroads, common open-space, common parking and driveway areas, and any other special rights-of-way, easements, and common areas.
- 13) Zoning and proposed land use of all lots within the subdivision and zoning of all contiguous land.
- 14) Notation of any self-imposed restrictions and locations of any building lines proposed to be established in this manner, if required by the Planning Commission in accordance with these regulations.

_____ 15) A vicinity map insert drawn at a scale of 2,000 feet to 1 inch showing the location of the subdivision in relation to streets and other general developments in the area.

_____ 16) Certification of ownership and offer of dedication, as follows:

I hereby certify that I am the owner of the property described hereon, which property is located within the subdivision regulation jurisdiction of the City of Argo, Alabama, that I freely offer this plat and dedicate to public use all such areas shown on this plat, and that I will maintain such areas until the dedication is accepted by the City Council.

_____, 20 _____

Owner

(Notarized)

Form for approval by the St. Clair County Health Department, if Private wells and sewage disposal, as follows:

_____, 20 _____

Sanitary Engineer, St. Clair County Health Department

Should any section of this ordinance, for any reason be held void or invalid it shall not affect the validity of any other section provided hereof which is not in itself void or invalid.

This Ordinance shall become effective immediately upon publication as required by law.

ADOPTED THIS THE 22nd of April, 2024

APPROVED and ADOPTED:


BETTY BRADLEY
MAYOR

ATTEST:


TABITHA HANNER
CITY CLERK

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
ST. CLAIR COUNTY)

I, Tabitha Hanner, City Clerk of the City of Argo, Alabama, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance duly adopted by the City Council of the City of Argo, Alabama, on the 22 day of April, 2024.

The above foregoing ordinance was published on the 23 day of April, 2024, by posting copies thereof in at least three public places within the City of Argo, one of which is at the Argo City Hall.

Witness my hand and seal of office this the 22 day of April, 2024.


TABITHA HANNER
CITY CLERK

