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CH15 15 .13 - Acceptance of Subdivision; Posting Maintenance Bonds

When the subdivision has been completed, the owner or developer shall apply for a Certificate of Final Acceptance from the Plan Commission. When the application for Final Acceptance is submitted to the Commission, it shall be accompanied by a notice from the Council, stating that there has been filed with, and approved by that body, the following.

- A. A statement certified by the developers engineer, addressed to the town council, stating that he has inspected the improvements and construction of the subdivision required for its approval, during and after their construction and installation and that they have been made or installed in accordance with the approved plans and specifications; and, that a 3 year maintenance bond has been provided for any improvements and installations required by this chapter. The said maintenance bond shall:
1. Run to and be in favor of the town;
 2. Be in a penal sum of not less than 25% of the total improvements construction cost of the subdivision to assure and guarantee the maintenance of all improvements and installations, during such 3 year period. Including, but not limited to: streets to minimum specifications at the end of such period, sanitary sewers, storm sewers, including lift stations, pumps, motors, connections and main lines installed in the subdivision; sidewalks, shoulders, side slopes and ditches, street signs and street lights; provided that the Town Council may reduce the penal sum set forth herein for good cause if the intent of the Maintenance Bond provision is preserved;
 3. Commence upon acceptance;
 4. Provide surety satisfactory to the Commission;
 5. Warrant the workmanship and all materials used in the construction, installation and completion of said improvements and that the installations are of good quality and have been constructed and completed in a workmanship manner in accordance with standards, specifications and requirements of this chapter and the approved plans and specifications therefor;
 6. Provide that for a period of three years after the Plan Commission Meeting at which said installations and improvements have been completed and are accepted for public maintenance by any appropriate governmental unit or agency thereof, the subdivider will at his own expenses make

all repairs to said improvements and installations, and on the foundation thereof, which may become necessary by reason of improper workmanship or materials, with such maintenance, however, not to include any damage to said improvements and installations resulting from forces or circumstances beyond the control of said subdivider; and

7. A certification from the developer that all improvements and installations for the subdivision required for compliance with this chapter have been made or installed in accordance with the approved plans and specifications.
8. Provide for 4 sets of complete “as built” plans to the Town of Lapel at the completion of the project in for form of 3 sets of blue lines or black lines and 1 set of reproducible mylars. The “as built” shall include accurate to scale horizontal location of all utilities, including but not limited to sanitary sewer mains and service laterals, storm sewers, water mains and service lines, gas, electric, telephone and cable television. Vertical location shall be provided for sanitary and storm sewers, including but not limited to inverts, grade and top casting elevations. The plans shall also include any horizontal or vertical revisions of streets, sidewalks, entrance signs, drainage, retention and/or detention ponds, pump stations, accurate construction details and other improvements. „As built” plans shall be dated and noted as such on each plan sheet and shall be certified by the engineer providing the inspection service in Section A.

Further Information

Ord. No. 2-1999, passed 1/21/1999

Date Passed: 1/21/1999