

## SUBDIVISION ORDINANCE 351- 2022

AN ORDINANCE OF THE CITY OF PARIS, STATE OF DAHO, PROVIDING FOR THE ADOPTION OF A SUBDIVISION ORDINANCE; PROVIDING FOR THE SEVERABILITY OF SAID ORDINANCE; PROVIDING FOR THE COMBINING OF PERMITS AND THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR THE REGULATIONS, REQUIREMENTS AND STANDARDS AND REQUIREMENTS OF PUBLIC IMPROVEMENTS; PROVIDING FOR GUARANTEE OF COMPLETION OF IMPROVEMENTS; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR AMENDMENT PROCEDURES.

Be it ordained by the mayor and council of the City of Paris, as follows:

### **ARTICLE I GENERAL PROVISION**

#### SECTION A, TITLE

These regulations shall be known and cited as the City of Paris Subdivision Ordinance.

#### SECTION B. AUTHORITY

These regulations are authorized by Title 50, Chapter 13 of the Idaho Code, as amended or subsequently codified.

#### SECTION C. PURPOSE

The general purpose of these regulations is to promote the public health, safety and general welfare, and to provide for:

1. The harmonious development of the area.
2. The coordination of streets and roads within the subdivision with other or planned streets and roads.
3. To ensure the city can adequately provide water and sewer services to all residents.
4. Adequate transportation, water drainage and sanitary facilities.
5. The avoidance of scattered subdivision of land that would result in either of the following:
  - a. The lack of water supply, sewer services drainage, transportation, or other public services.
  - b. The unnecessary imposition of an excessive expenditure of public funds for the supply of such services.
6. The requirements as to the extent and the manner in which:
  - a. Roads shall be created and improved.
  - b. Water and sewer and other utility mains, piping connections or other facilities shall be installed.
7. The manner and form of making and filing of any plat.

8. The administration of these regulations by defining the powers and duties of approval authorities.

#### SECTION D. JURISDICTION

These regulations shall apply to the subdivision of all land within the boundaries of the City of Paris, including the impact area of the City of Paris as allowed under Section 50-1306, Idaho Code, as amended or subsequently codified.

#### SECTION E. INTERPRETATION

All subdivisions as herein defined shall be submitted for approval by the City Council and shall comply with the provisions of these regulations. These regulations shall supplement all other regulations and where at variance with other laws, regulations, ordinances or resolutions, the more restrictive requirements shall apply.

#### SECTION F. ADMINISTRATION

The City Council shall carry out the provisions as herein specified. The City Council may appoint an administrator to assist the City Council in administering these provisions. The administrator would serve at the pleasure of the Commission.

#### SECTION G. SEVERABILITY

Where any word, phrase, clause sentence, paragraph, section, or other part of these regulations is held invalid by a court of competent jurisdiction, such judgment shall only affect that part held so invalid.

#### SECTION H REPEAL OF CONFLICTING ORDINANCES

This ordinance shall supersede and repeal all previous subdivision ordinances enacted by the City of Paris. All other ordinances or parts thereof in conflict with this Subdivision Ordinance or in conflict with these provisions are hereby repealed to the extent necessary to give this ordinance full force and effect.

#### SECTION 1. INCLUSION OF DAHO CODE TITLE 50, CHAPTER 13

The terms of Title 50, Chapter 13 of the Idaho Code are hereby expressly included as part of this Subdivision Ordinance together with all subsequent amendments thereto with the following exceptions.

- a. Title 50, 130101) defining a subdivision is not accepted and the City of Paris hereby expressly chooses to define subdivision as set forth in Section J.
- b. Title 50, 1316, setting the amount for a penalty for selling unplotted lots is not accepted as far as the City of Paris has the ability to reject this amount. The City of Paris sets the amount as \$1000 for a penalty for each lot and part of a lot sold or disposed of or offered for sale.

#### SECTION J. DEFINITION OF A SUBDIVISION

The result of an act dividing an original lot, tract or parcel of land into units smaller than twenty (20) acres for the purpose of transfer of ownership or development or lease and/or the creation of four (4) or more undivided interests in the lands. However, the following would be exempt from the subdivision ordinance.

- a. An adjustment of lot lines as shown on a recorded plat which does not reduce the area, frontage, width, depth or building setback lines of each building site below the

minimum zoning requirements and does not change the original number of lots in any block of the recorded plat.

- b. An allocation of land in the settlement of an estate of a decedent or a court decree for the distribution of property.
- c. The unwilling sale of land as result of legal condemnation as defined and allowed in the Idaho Code.
- d. Widening of existing streets to conform to a comprehensive plan.
- e. The acquisition of street rights-of-way by a public agency in conformance with the comprehensive plan-
- f. The exchange of land for the purpose of straightening property boundaries which does not in the change of the present land usage.
- g. The dividing of an original lot, tract or parcel of land for the purpose of transfer of ownership as an addition to and contiguous with adjoining land for the purpose of enlarging the adjoining parcel size and not for increasing the number of dwellings that can be built on the lot or parcel.
- h. Any land owned, purchased or sold by a municipality, body politic or other public agency for the furtherance of any public purpose of such entity.
- i. Any land ownership transferred as an addition a bona fide agricultural operation for the purpose of adding to an existing operation. Any division of the property being transferred into parcels or the building of a dwelling on the property within five (5) years of the original transfer date would automatically require the owner of said property to obtain a variance from the City Council from this Ordinance or the qualifying of the property as a subdivision.
- j. A transfer of a parcel of land which meets the size requirements of the building permit ordinance; fronts on an existing city street; and has city sewer and city water services to the property. This exemption is not intended to allow the issuance of a building permit if water and sewer capacity is not available.

## **ARTICLE II**

### **PROCEDURE FOR SUBDIVISION APPROVAL**

#### **SECTION A SUBDIVISION APPROVAL REQUIRED**

Any person or entity desiring to create a subdivision as herein defined shall submit all necessary applications to the City Council. No final plat shall be filed with the County Recorder or improvements made on the property until the plat has been acted upon by the City Council and approved by them. No lots shall be sold until the plat has been recorded in the office of the County Recorder.

#### **SECTION B. PRE-APPLICATION**

1. The subdivider shall submit a completed pre-application to enable the City Council to review and comment on the proposed subdivision. The pre-application form may be obtained from the City Clerk.
2. No fee is required for a pre-application.
3. The City Council shall cause the application to be on the agenda for the next Council meeting. The City Council checks the pre-application for its general conformance or non-conformance with this ordinance. If the subdivider chooses to proceed, the City Council shall provide the necessary forms and check lists for the subdivider.

4. A completed preliminary plat and application must be submitted to the City Council within six (6) months from the City Council meeting considering the pre-application. If the preliminary Plat and application a-re not so filed, a new pre-application must be re-submitted.

## SECTION C. PRELIMINARY PLAT

1. The subdivider shall file with the City Council a completed preliminary plat and application as required in this ordinance and a receipt showing payment of the preliminary plat fee as determined by the Board. The subdivider provides the City Council with six (6) copies of the plat and application 15 days prior to the City Council meeting at which the application shall be considered. The subdivider shall also submit all necessary plans for culinary water and sewage disposal systems in the project to the District Health Department.

2. Content of Preliminary Plat:

The contents of the preliminary plat and related information shall be in such a form as stipulated by the City Council; however, any additional maps or data deemed necessary by the City Council may also be required. The subdivider shall distribute to the City Council and the City Engineer at least following:

- a. Six (6) copies of the Preliminary Plat of the proposed subdivision in accordance with the requirements hereinafter stated; each copy of the Preliminary Plat shall be on good quality paper, shall have dimensions of not less than twenty-four (24) inches by thirty-six (36) inches, shall be drawn to a scale of not less than one (1) inch to one hundred (100) feet, shall show the drafting date, and shall indicate thereon, by arrow, the generally northerly direction.
- b. A written application requesting approval of the Preliminary Plat.
- c. Appropriate information that sufficiently details the proposed development and any special problems that may exist.

The subdivider shall also submit to the City Engineer and City Council each a set of preliminary engineering plans (not meant to be cross or detailed designs) for streets, water, sewers, sidewalks and other required public improvements; however, such engineering plant shall contain sufficient information and detail to enable City Engineer to make a determination as to conformance of the proposed improvements to applicable regulations, ordinances and standards.

3. Requirement or Preliminary Plats:

The following shall be shown on the Preliminary Plat or shall be submitted separately:

- a. The name of the proposed subdivision.
- b. The addresses and telephone numbers of the subdivider or subdividers, and the engineer or surveyor who prepared the plat.
- c. The name and address of all adjoining property owners of property whether or not bisected by a public right of way as shown on record in the County Assessors office.
- d. The legal description of the subdivision.

- e. A statement of the intended use of the proposed subdivision such as: residential, single family; two family and multiple housing; industrial; recreation; or agricultural and a showing of any sites proposed for parks, playgrounds, schools, churches or other public uses.
- f. A map of the entire area under the same ownership if the proposed subdivision is a portion of a larger holding.
- g. A vicinity map showing the relationship of the proposed plat to the surrounding area (1/2-mile minimum radius, scale optional).
- h. The land use and existing zoning of the proposed subdivision and the adjacent land.
- i. Streets, street names, rights of way and roadway widths, including adjoining street or roadways.
- j. Lot lines and blocks showing the dimensions and numbers of each.
- k. Contour lines, shown at five (5) foot intervals where land slope is greater than ten percent (10%) and at two (2) foot intervals where land slope is ten percent (10%) or less, referenced to an established bench mark, including location and elevation.
- i. A site report as required by the appropriate health district where individual wells or septic tanks are proposed.
- m. Any proposed or existing utilities including, but not limited to, storm and sanitary sewers, irrigation laterals, ditches, drainages, bridges, culverts, water mains and fire hydrants.
- n. A copy of any proposed restrictive covenant and/or deed restrictions.
- o. Any dedications to public and/or easements, together with a statement of location, dimensions, and purpose of such.
- p. Any additional required information for special developments-
- q. A statement as to whether or not a variance will be requested with respect to any provision of this ordinance, describing the particular provision, the variance requested and the reasons therefore.

5. FEE

The preliminary plat fee as established by the City Council shall be paid by the subdivider to the City Clerk. Proof of such payment shall be submitted to the City Council prior to the plat being placed on agenda for the City Council meeting.

6: City Council Review.

- a. Certification: Upon receipt of the Preliminary Plat, and all other required data as provided for herein, the City Council shall certify the application as complete and fee has been paid and shall affix the date of application acceptance thereon. The preliminary plat shall be placed on the agenda for consideration at the next regular meeting of the City council which is held no less than fifteen days (15) after said date of certification nor more than forty-five (45) days thereafter.
- b. Review by Other Agencies: The Civ Council shall refer Preliminary Plat and application to as many agencies as deemed necessary. Such agencies may include the following:
  - 1) Other governing bodies having joint jurisdiction.
  - 2) The appropriate utility companies, irrigation companies or districts and drainage districts.

- 3) The superintendent of the school district.
- 4) Other agencies having an interest in the proposed subdivision.
- c. City Council Review: Upon expiration of the time allowance for department agency review, the City Council shall prepare a statement pointing out the deficiencies or short-comings (if any).

7. Public Notification

- a. Notification to Property Owners: The subdivider shall notify all adjoining property owners of his intent and the time and place of hearing by the City Council by certified mail. Proof of said notification shall be presented to City Council at the time the developer presents the preliminary plat.
- b. Failure to Notify: subdividers failure to comply with the notification provision shall not invalidate the Commission's action if the subdivider can show to the satisfaction of the City Council that notification has been made and no prejudice to any party will occur.

8. City Council Action:

- a. Hearing by City Council: The City Council shall review the preliminary plat, comments from concerned persons and agencies to arrive at a decision on the preliminary plat.
- b. City Council's Findings: In determining the acceptance of a proposed subdivision, the Commission shall consider the objectives of this ordinance and at least the following:
  - 1) The conformance of the subdivision with the comprehensive development plan.
  - 2) The availability of public services to accommodate the proposed development.
  - 3) The continuity of proposed development with the capital improvements plan.
  - 4) The public financial capability of supporting services for die proposed development.
  - 5) The other health, safety or environmental problems that may be brought to the City Council's attention
- c. Action on preliminary plat: The City Council may approve, approve conditionally, disapprove or table die preliminary plat for additional information. (Such action shall occur within thirty 30) days of the date regular meeting at which the plat is first considered by the City Council.)

The and the reasons for such action shall be stated in writing and forwarded to the applicant.

9. Approval Period:

- a. Failure to file and obtain the ceretification of the acceptance of the final plat application by the City Council within one (1) year after action by die City Council shall cause all approvals of said preliminary plat to be null and void, unless an extension of time is applied for by the subdivider and granted by the City Council.
- b. In the event that the development of the preliminary plat is made **total land use must be planned and clearly stated of use.**

## SECTION D. FINAL PLAT

### 1. Application:

After the approval or conditional approval of the preliminary plat, the subdivider may cause the total parcel, or any part thereof to be surveyed and a final plat prepared in accordance with the approved preliminary plat. The subdivider shall submit to the City Council and the City Engineer the following:

- a. Two (2) copies each of the final plat.
- b. Two (2) copies each of the final engineering construction drawings for streets, water, sewer, sidewalks and other public improvements

### 2. Content of Final Plat:

The final plat shall include and be in compliance with all items required under Title 50, Chapter 13 of the Idaho Code and shall be drawn at such a scale and contain lettering of such size as to enable the same to be placed on one sheet of 18 inch by 24-inch drawing paper, with no part of the drawing nearer to the edge than one (1) inch. The reverse of said sheet shall not be used for any portion of the drawing, but may contain written matter as to dedications, certifications and other information. The final plat shall include at least following:

- a. A written application for approval of such final plat as stipulated by the City Council.
- b. Proof of current ownership of the real property included in proposed final plat.
- c. Such other information as the City Council may deem necessary to establish whether or not all proper parties have signed and/or approved said final plat.
- d. Conformance with the approved preliminary plat and meeting all requirements or conditions thereof.
- e. Conformance with all requirements and provisions of this ordinance.
- f. Acceptable engineering practices and local standards.

### 3. City Council Review:

- a. Acceptance: Upon receipt of the final plat, and compliance with all other requirements as provided for herein, the City Council shall certify the application as complete and shall affix the date of acceptance thereon.
- b. Formal approval: Upon the determination that the final plat is in compliance with the preliminary plat and all conditional requirements have been met, the subdivider shall notify that he may pay the final plat fee and be placed on the agenda of the City Council meeting.

### 4- Agency Review:

The City Council may transmit one copy of the final plat or other documents submitted, for review and recommendation to the departments and agencies as it deems necessary to ensure compliance with the preliminary approval and/or conditions of preliminary approval. Such agency review shall include the construction standards of improvements, compliance with health standards, the cost estimate for all improvements and the legal review of the performance bond.

5. Fee:

The final plat fee as established by die City Council shall be paid to the Recorder prior to its being placed on the City Council's agenda.

6. City Council Action:

The City Council at its next meeting following and payment of the fee, shall consider information from concerned persons and agencies to arrive at a decision on the final plat. The City Council shall approve, approve conditionally, disapprove or table the final plat for additional information within thirty (30) days of the date of the regular meeting at which the plat is first considered.

7. Approval Period:

Final plat shall be filed with the County Recorder within one (1) year after written approval by the Board; otherwise, such approval shall become null and void unless prior to said expiration date an extension of time is applied for by the subdivider and granted by the City Council.

8. Method of Recording:

Upon approval of the final plat by the City Council, the subdividers construction of improvements or posting of surety bond and the inclusion of the following signatures on the final plat, subdivider shall submit the final plat to the County Recorder for recording.

- a. Certification and signature of the City Council verifying the subdivision has been approved.
- b. Certification and signature of the City Clerk or Mayor, if required, and the City Engineer verifying that subdivision meets the City requirements.
- c. Certification of the sanitation restrictions on the face of the plat per Section 50-1326 of the Idaho Code.

**ARTICLE III  
DESIGN STANDARDS**

**SECTION A. MINIMUM DESIGN STANDARDS REQUIRED**

All plats submitted pursuant to the provisions of this ordinance and all subdivisions, improvements and facilities done, constructed or made in accordance with said provisions shall comply the minimum design standards set forth in the "City of Paris Standards" as adopted by City Council, provided, however, that any higher standards adopted by any Highway District, State Highway Department of Health Agency shall prevail over set forth herein.

**SECTION B. DEDICATION**

Within a proposed subdivision, all streets and roads may be dedicated to the public as required by the City Council. The City Council must approve of all dedications of streets and roads to the City.

## SECTION C. STREET AND ROAD LOCATIONS

Where a subdivision abuts or contains a major street, it shall be required that there be frontage roads approximately parallel to and on each side of such arterial street; or, such other treatment as is necessary for the adequate protection of residential properties and to separate through traffic from local traffic.

## SECTION D. STREET NAMES

The naming of streets shall conform to the following:

1. Street names shall not duplicate any existing street name within die City except where anew street is a continuation of existing street; street names that may be spelled differently but sound the same as existing streets shall not be used.
2. All new streets shall be named as follows: streets having a predominantly north-south direction shall be named "Avenue" or "Road"; streets having a predominantly east-west direction shall be named "Street" or "Way"; meandering streets shall be named "Drive," "Lane," "Path" or Trail; and cul-de-sacs shall be named "Circle," "Court," and "Place."

## SECTION E. EASEMENTS

Unobstructed utility easements shall be provided along front lot lines, rear lot lines, and side lot lines when deemed necessary; total easement width shall not be less than twelve (12) feet. Unobstructed drainage way easements shall be provided as required by the City Council.

## SECTION F. BLOCKS

Every block shall be so designed as to conform to the size of the current city blocks. **Being total road widths and right of ways widths to match current city layout.**

## SECTION G. LOTS

The lot width, depth and total area shall not be less than the requirements of any applicable ordinance.

## SECTION H. PLANTING STRIPS AND RESERVE STRIPS

1. Planting Strips: Planting strips shall be required to be placed next to incompatib1e features such as highways, railroads, commercial or industrial uses to screen the view from properties.  
Such screening shall be a minimum of twenty (20) feet wide and shall not be a part of the normal street right of way or utility easement.
2. Reserve Strips: Reserve strips controlling access to streets are permitted only when the control of such strips is given to the City under conditions approved by the City Council.

## SECTION 1. PUBLIC SITES AND OPEN SPACES

Shall conform to the following:

1. Public Uses: Where it is determined a proposed park, playground, school or other public use as shown on the comprehensive Development Plan is located in whole or in part within a proposed subdivision, sufficient area for such public use shall be dedicated to the public or reserved and offered for public purchase. If within two (2) years of plat recording, the purchase is not agreed on, the reservation shall be cancelled or shall automatically cease to exist.
2. Natural Features: Existing natural features which add value to residential development and enhance the attractiveness of the community (such as trees, watercourses, historic spots and similar irreplaceable assets) shall be preserved in the design of the subdivision.
3. Special Developments: In the case of planned unit developments and large-scale developments, the City Council may require sufficient park or open space facilities of acceptable size, location., and site characteristics that may be suitable for the proposed development

## ARTICLE IV

### IMPROVEMENT STANDARDS

#### SECTION A. RESPONSIBILITY FOR PLANS

It shall be responsibility of the subdivider of every proposed subdivision to have prepared by a registered engineer, a complete set of construction plans, including profiles, cross-sections, specifications and other supporting data, for all required public streets, utilities and other facilities. Such construction plans shall be based on preliminary plans which have been approved with preliminary plat and shall be prepared in conjunction with the final plat. Construction plans are subject to approval by the responsible public agencies. All construction plans shall be prepared in accordance with the public agencies' standards or specifications.

#### SECTION B. REQUIRED PUBLIC IMPROVEMENTS

Every subdivider shall be required to install the following public and other improvements in accordance with the conditions and specifications as follows:

1. Monuments: Monuments shall be set in accordance with Section 50-1303, Idaho Code.
2. Streets and Alleys: All streets and alleys shall be constructed in accordance with the standards and . specifications adopted by the City Council.
3. Curbs and Gutters: Curbs and gutters **will** be required by the City Council. All construction shall be in accordance with the standards and specifications adopted by the City Council.
4. BICYCLE PATHWAYS: A bicycle pathway may be required within subdivisions as part of the public right of or separate easement.
5. Installation of Public Utilities: Underground utilities are encouraged and maybe required subject to the City Council's adopted policies and standards.

6. Storm Drainage: An adequate storm drainage system shall be required in all subdivisions. The requirements for each particular subdivision shall be established by the City Council. Construction shall follow the specifications and procedures established by the City Council.
7. Community Water Supply and Sewer Systems: It shall be the responsibility of the subdivider to provide all water and sewer systems for the subdivision including the expansion of the city's systems if necessary to provide both water and sewer services to the subdivision. Section 501326, Idaho Code, requires that all water and sewer plans be submitted to the State Department of Environmental and Community Services or its authorized agent for approval.
8. Maintenance and Operation of Public Water Supply and Sewer System: The subdivider shall provide for a perpetual method of maintenance and operation of the public water supply or sewer system (serving (2) or separate premises or households) to insure the continued usefulness of the system.
9. Fire Hydrants and Water Mains: Adequate fire protection shall be required in accordance with the adopted City standards and state fire codes.
10. Street Lighting: Street lights will be required to be installed at all intersections and throughout the subdivision. A subdivider shall conform to the requirements of the City and the public utility, providing such lighting.

#### SECTION C. GUARANTEE OF COMPLETION OF IMPROVEMENTS

1. Financial Guarantee Arrangements: In lieu of the actual installation of required public improvements before filing of the final plat, the City Council will permit the subdivider to provide a financial guarantee of performance in one or a combination of the following arrangements for those requirements which are over and beyond the requirements of any other agency responsible for the administration, operation and maintenance of the applicable public improvement.
2. Surety Bond:
  - a. Accrual: The bond shall accrue to the City of Paris covering construction, operation and maintenance of the specific public improvement.
  - b. Surety Bond: The bond shall be in the amount equal to the one hundred twenty percent (120%) of the total cost for completing construction of the specific public improvement, as estimated by a registered engineer and approved by the City Council
  - c. Term Length: The term length in which the bond is in force shall be for a period to be specified by City Council for the specific public improvement.
  - d. Bonding for Surety Company: The bond shall be with a surety company authorized to do business in the State of Idaho, acceptable to the City Council.
  - e. Escrow Agreement: The escrow agreement shall be drawn and furnished by the City Council.
3. Cash Deposit, Check Negotiable Bond or Irrevocable Bank Letter of Credit:
  - a. Treasurer, Escrow Agent or Trust Company: A cash deposit, certified check, negotiable bond or an irrevocable bank letter of credit, such surety acceptable by the Board, shall be deposited with an escrow agent or trust company.

- b. Dollar Value: The dollar value of the cash deposit, certified check, negotiable bond or an irrevocable bank letter of credit, shall be equal to one hundred twenty percent (120%) of the estimated cost of construction for the specific public improvement, as estimated by a registered engineer and approved by City Council.
  - c. Escrow Time: The escrow for the cash deposit, certified check, negotiable bond or irrevocable bank letter of credit, shall be for a period to be specified by the City Council.
  - d. Progressive Payment: In the case of cash deposits or certified checks, an agreement between the City Council and subdivider may provide for progressive payment out of the cash deposit or reduction of certified check, negotiable bond or irrevocable bank letter of credit, to extent of the cost of the completed portion of the public improvement in accordance with a previously entered into agreement.
4. Conditional Approval of Final Plat: With respect to financial guarantess, the approval of all final subdivision plats shall be conditioned on the accomplishment of one of the following:
    - a. The construction of improvements required by this ordinance shall be completed by the subdivider and approved by the City Council.
    - b. Surety acceptable to the City Council shall have been filed in the form of a cash deposit, certified check, a negotiable bond, irrevocable bank letter of credit or surety bond.
  5. Inspection of Public Improvements Under Construction: Before approving a final plat and construction plans and specifications for public improvements, an agreement between subdivider and the City Council shall be made to provide for checking or die and its conformity to the submitted plans.
  6. Penalty in Case of Failure to Complete Construction of a Public Improvement: In the event the subdivider shall, in any case, fail to complete such work within the period of time as required by the conditions of the guarantee for the completion of public improvements, it shall be the responsibility of the City Council to proceed to have such work completed. In order to accomplish this, the City Council shall reimburse itself for the cost and expense thereof by appropriating the cash deposit, certified check, irrevocable letter of credit, or negotiable bond which the subdivider may have deposited in lieu of a surety bond, or may take such steps as may be necessary to require performance by the bonding or surety company, and as included in a written agreement between the City Council and the subdivider. It is the intention of this to use the funds put up by the subdivider to complete the public improvements but not to complete the remainder of the subdivision.

**SECTION D. GENERAL NOTES & SPECEICATIONS for Required Improvements Subdivisions**

These General Notes apply to each subdivision except where more restrictive and/or specific information is indicated in drawings or specifications.

1. All Construction shall be done in accordance with Idaho Standards for Public Works Construction and City of Paris Specifications. All work shall be done in a good workmanship manner, with pleasing esthetics, to industry standards and the area left clean.
2. It will be the responsibility of contactor to make arrangements for water required for testing, compaction and dust prevention measures. All trenches be compacted to prevent settlement. Hydro-compaction is only permitted on sand.

3. The contractor shall be responsible for securing sources for granular material, water for construction, waste site(s) and additional materials that may be necessary for properly constructing the project.
4. Permission shall be obtained from all canal companies prior to disturbing any ditch or canal.
5. The contractor shall retain and protect or remove and replace all landscaping, trees, utilities, ditches, culverts, fences, mailboxes, signs, light poles, headgates, existing asphalt paving, and all other miscellaneous items. Any damage done by the contractor shall be repaired at their expense.
6. Prior to the approval of the final map or filing of the parcel map, the subdivider shall submit to the City Engineer, plans and specifications of the water supply and sewer line distribution systems prepared by a civil engineer, registered in the State of Idaho, of sufficient detail to enable the City Engineer to ascertain whether such systems conform to the standards set forth herein and to standard acceptable engineering practices.
7. Such plans shall contain the following statement from the project engineer.

"I am aware, that even though the city has reviewed and approved these plans, I still the Project Engineer and as such I am solely responsible for contents of these plans."

#### TRAFFIC CONTROL - CONSTRUCTION ZONES

8. The contractor shall provide traffic control in accordance with the federal Manual on Uniform Traffic Control Devices (MUTCD) as adopted by the State of Idaho any time the contractor's work utilizes the right-of-way.

9. Any work done within public right-of-way shall be done in accordance with the right-of-way special use permit. Signing, Flagmen, and special precautions shall be done in accordance with City, County or State Highway Department and OSHA criteria.

#### WATER SERVICE

10. Each Subdivision shall provide a water supply system per City Code. The water supply shall be so designed and constructed that it will supply at least a volume rate for two hours at any fire hydrant in the system while the system is in normal operation without reducing the water pressure in any part of the system below 35 psi. (Ref: Idaho Regulations for Public Drinking Water Systems, 1.8500.01)

11. Each subdivider shall provide an engineered impact study on water and sewer impact of said subdivision, and follows with the recommendations thereof to eliminate or reduce the impact on the City. It is the subdivider's responsibility to make such improvement upon the city infrastructure to handle the impact prior to any sale of lots within the subdivision.

12. Water mains shall be placed in street or public utility easements.

13. The water distribution system shall be laid out in a properly segmented grid or loop system with gate valves shall be located adjacent to tees and crosses and their associated reducers and where new water line mains connect to existing mainlines so that repairs may be affected with a minimum interruption of service.

14. Dead ends in water line mains shall be avoided insofar as practicable, and a means shall be provided to flush any dead ends which may be installed in the mains.

15. All water line mains, where fire hydrants are connected, shall be one of the following minimum sizes:

a. six inches inside diameter within a grid or loop system and on dead-end legs of less 600 feet long;

b. eight inches or longer inside diameter for all other mains.

(Ref: Idaho Regulations for Public Drinking Water Systems, 1.8601.03)

16. Each building site shall have a water line service connection from the subdivision main line.

17. Metallic and nonmetallic materials may be used separately and in combination to construct component of water line system intending, but not limited to, conduits, pipes, couplings, caulking materials, protective linings and coatings, services, valves, hydrants, pumps, tanks and reservoir, provided:

a. The material shall have a reasonable useful service life;

b. The material shall be capable of withstanding, "with ample safety factors, the internal and external forces to which it may be subject to in service;

c. The material shall not cause the water to become impure, unwholesome, unpotable or unhealthful;

d. Materials and Equipment shall be so selected as to mitigate corrosion, electrolysis and deterioration;

18. All water line mains shall be ductile steel C-50 or plastic, C-900 class 200;

19. Service connections shall be a minimum 1-inch type K to the meter with Mueller fittings;

20. Installed with current water meter and meter pit set by city standard.

21. Fire hydrants shall be placed so no point on any of the street fronting lots served by the water line distribution system are further than 500 feet from the nearest hydrant in a subdivision; and 300 feet in a commercial and industrial area.

22. Fire hydrants shall be provided per City Code **from subdivider**. Fire Hydrants shall have two 2-1/2-inch diameter hose nozzles, and one 4-1/2-inch diameter hose nozzle.
23. Each fire hydrant shall have a gate valve between the water line main and the riser. Fire hydrants shall be located not more than 8 feet from the edge of the paved roadway. The outlets, shall be no less than 18 inches or greater than 24 inches above the street level without curbing or final grade with curbing.
24. Water line mains shall be installed below the frost line or be otherwise protected to prevent freezing and shall have 48 inches of cover over the top of the pipe in public streets. Other depth of cover must have prior approval by the City.
25. There shall be a 10-foot minimum horizontal separation distance between all new water lines and sewer line except where water line and sewer cross at approximately right angles, where a minimum of 18 inches of vertical separation shall be maintained.
26. Minimum clearance between new pipelines and existing utilities and structures (except sewers) shall be two feet Horizontally.
27. Water line mains and services shall be inspected by the City and successfully tested under pressure prior to covering. City Inspectors are available during normal business hours.
28. All water line mains shall be equipped with an AWG 14 Red UF insulated tracer wire, mechanically connected to each valve via a flange nut. Tracer wire will be the full length of the water line main.
29. Thrust blocks shall be placed at all changes in the pressure pipe. (See Idaho Standards for Public Works Construction, Drawing SD-403)
30. Each service connection pipe will be:
  - a. at least one inch inside diameter and;
  - b. shall be connected to the water line main via a saddle and;
  - c. will not share a trench with other water service connections.
30. Service pipe shall be laid to a depth sufficient to prevent freezing and not less than 48 inches except at its termination in connecting with a meter or customer's piping. Prior City approval is required if cover is to be greater than 48 inches.
31. Service connections shall be in a trench that was dug a foot deeper than the cover to final grade and recompact to 95% relative compaction.
32. Each service connection shall have a street valve with enclosure in front of an 18-inch diameter, 48 inches deep City approved meter box.
33. Each meter box shall be flush with the finished grade and contains: double check setter assembly and plumbed for a future meter installation. A 1-1/4-inch diameter idler pipe shall be installed 30 inches below the meter box lid when no meter is required.

## SEWERS (Idaho code)

34. All sewer mainlines shall be SDR 35, PVC, ASTM D-3034.
35. Sewer mainlines desirable slope is 0.5%, minimum slope shall be 0.3%.
36. Sewer mainlines using gravity flow shall be a minimum size of 8 inches in diameter.
37. Sewer service laterals using gravity flow shall be a minimum size of 4 inches in diameter.
38. Sewer service laterals shall have a minimum slope of 1/4 inch per foot.
39. Sewer service laterals shall be uniformly sloped to the sewer line.
40. Sewer manholes are required at each change of direction and line termination.
41. Where a subsurface sewage disposal system is permitted and approved by the health authority, then the minimum the City shall require is:
  - a. When a domestic water service or irrigation line or other utility trench parallels a leach line, a minimum offset of twenty-five (25) feet.
  - b. When a domestic water service or irrigation line SHALL NOT cross a leach line.

However, the District 6 Health Department may require additional clearances.

42. All water and sewer repairs and maintenance shall fall upon said subdivider or established HOA.

## TRAFFIC SIGNS

43. Each intersection will require street name signs.
44. Street name signs shall be on 6 x 24 or 6 x 30 inches flat aluminum plate 0.08 -inches thick, with green scot-lite backing and silver die-cut 4-inch series B letters of High Intensity grade reflective sheeting. Private roads shall use brown scot-lite backing.
45. Each street name post shall be a standard 2-inch diameter, schedule 40, galvanized iron pipe. Pipe's bottom end shall be cut at 45 degrees to prevent twisting. The pipe shall be embedded 12 inches into a 12-inch square concrete base 24 inches deep.
46. Street name signs shall be mounted on top of its post with a flat bracket "supr-lok" cap and 90 degree "supr-lok" cross separator.
47. Stop signs and/or warning signs, shall be fabricated of high intensity reflective sheeting on 30-inch aluminum blanks.

48. Speed Limit signs, shall be fabricated on high intensity reflective sheeting on 18 x 24-inch aluminum blanks.

49. All signs (except street name) shall be mounted on 12-foot, flanged channel posts, 3 lb./ft, green baked enamel.

50. Stop signs shall be mounted not less than 5 feet nor more than 7 feet above grade and the left edge not less than 6 feet nor more than 12 feet to the right of the face of curb or edge of pavement and 4 feet in advance of a marked or unmarked crosswalk.

51.. All Signs (except stop) shall be mounted 7 feet above grade and the sign edge, 2 to 6 feet from the face of curb or edge of pavement or as directed.

## **STREETS & SIDEWALKS**

52. Each Subdivision shall have a minimum 2 point of ingress and egress for the subdivision. All subdivision roadways shall be service by these points. Individual lots within the subdivision shall not be accessed by city streets.

53. Sidewalks shall be: a minimum of 4 feet wide; nominal 4 inches thick; 2000# concrete; broom finish; and on 2-inch 3/4 minus (except, where a sidewalk crosses a driveway). Top 6 inches of soil below subgrade shall be compacted to 95% relative compaction. Top of sidewalks shall be level with finish grade.

54. Curbs, driveway aprons and sidewalks across driveways shall be: minimum of nominal 6 inch thick; 3000# concrete; broom finish; and on 2 3/4 minus Top 6 inches of soil below subgrade and aggregate shall be compacted to 95% relative compaction. No concrete shall be poured until the forms and aggregate have been inspected by the City.

55. All intersections shall have ramps per Americans with Disabilities Act (ADA) requirements.

56. Driveway apron slope to the street will be 1/4" per foot. Side slope, where apron is of the sidewalk, shall be 1 per foot or flatter, otherwise, 2<sup>o</sup> per foot. (ADA)

57. Roadways shall be a minimum constructed of: 3 inches of plant mix asphalt concrete with a fog seal; on top of 2 inches of 3/4 minus aggregate; on top of 8 inches 2 max aggregate; and on top of compacted subgrade. In cut areas, the top 6 inches of subgrade will be scarified and recompacted to 95% relative compaction. Crowned cross slope of 2%.

| Rights-of-way | Roadway Width | Design Speed | Max Grade |
|---------------|---------------|--------------|-----------|
| 90FT          | 30-70 FT      | 25 mph       | 8%        |

58. All aggregate bases shall be compacted to 95% relative compaction.

59. Fills will be compacted to 95% of relative compaction.

60. Streets, curb & gutter shall be "flush" tested for drainage. Minimum gutter drainage slope of 0.4% Water ponding will not be accepted.
61. Parking areas shall provide one space per 25 spaces for handicap parking, in business and industrial zones, and as directed in other zones. (ADA)
62. Cul-de-sac streets shall terminate in a turnaround with a right-of-way radius of at least forty-five (45) feet. The city may approve equally convenient form of turning space where extreme conditions justify. The maximum length shall be four hundred (400) feet from the entrance to the center of a turnaround.
63. Dead-end streets will not be approved expect in locations designated by the city as necessary to future extensions in development of adjacent lands. In any case, a dead-end serving more than four (4) lots shall provide by easement a temporary turning circle with a forty (40) foot radius or other acceptable design to accomplish adequate access.
64. Loop streets shall be limited to a maximum length of twelve hundred (1200) feet.
65. Streets shall be planned to intersect as nearly as possible at right angles, but in no event at less than seventy (70) degrees. Streets intersecting an Arterial shall do so at a ninety (90) degree angle.
66. Where any street deflects at an angle of ten (10) degrees or more, a connection curve shall be required having a minimum center line radius of three hundred (300) feet for Arterial and collector streets and one hundred twenty-five (125) feet for local streets.
67. Streets with center line offsets of less than one hundred twenty-five (125) feet shall be avoided.
68. A tangent at least one hundred (100) feet long shall be provided between reverse curves.
69. At street intersections, property line corners shall be rounded by a circular arch, said arch having a minimum tangent length of twenty (20) feet.
70. Street intersections with more than four (4) legs and Y-type intersection where legs meet at acute angles shall be avoided.
71. Alleys will be twenty (20) feet wide, when single family residence units abut both sides; twenty-four (24) feet wide if abutting multiple family, commercial or industrial districts. Dead-end alleys shall be avoided.
72. Snow Removal, Road Maintenance, Sidewalk Maintenance shall be provided by subdivider or established HOA.
73. Recreation and Mountainous subdivisions; Special conditions may be imposed on recreation or mountainous subdivisions if they are to be utilized during winter months.

## ARTICLE V

## **VACATIONS AND DEDICATION**

### **SECTION X APPLICATION PROCEDURE**

- a Application: Any property owner desiring to vacate an existing subdivision, public right of way or easement, or desiring to dedicate a street right of way or easement shall make application to the City Clerk. These provisions shall not apply to dedication of streets, rights of way or easements to be shown on a recorded subdivision.
- b City Clerk Action: Upon receipt of the application, the City Clerk shall affix the date of application thereon. The City shall place the application on the agenda for consideration at the next regular of the City Council which is held not less than fifteen (15) days after said date of acceptance.

### **SECTION B. ACTION**

- 1. City Council Action: When considering an application for vacation procedures, the City Council shall establish a date for a public hearing and give such public notice as required by law. The City Council may approve, deny or modify application. Whenever public rights of way or lands vacated, Board shall provide adjacent property owners with a quit claim deed for the vacated lights of way in such proportions as are prescribed by law.
- 2. When considering an application for dedication procedures, the Board may approve, deny or modify the application, when a dedication is approved, the required street improvements shall be constructed or a bond furnished assuring the construction, prior to the acceptance of the dedication. To complete the acceptance of any dedication of land, the owner shall furnish to the City Council a deed describing and conveying such lands to be recorded with the County Recorder.

## **ARTICLE VI**

### **VARIANCE**

SECTION A: A subdivider may make application under the procedures established for granting variances in the City of Paris regarding any provision of this Ordinance. The granting of such a request must meet the following conditions as well as those imposed by the Ordinance providing for variances:

- i That there are such special circumstances or conditions affecting the property that the strict application of the provisions of this Ordinance would clearly be impracticable or unreasonable; in such cases, the subdivider shall first state his reasons in writing as to the specific provision or requirement involved.
- ii That strict compliance with the requirements of this ordinance would result in extraordinary hardship to the subdivider because of unusual topography, other physical conditions or other such conditions which are

not self-inflicted, or that these conditions would result in inhibiting the achievement of objectives of this ordinance.

- iii That the granting of the specified variance will not be detrimental to public welfare or injurious to other property in the area in which the property is situated.
- 4. That such variance will not violate the provisions of the Idaho Code.
- 5. That such variance will not have the effect of nullifying the interest and purpose of this ordinance.

## **ARTICLE VII**

### **ENFORCEMENT AND PENALTIES**

#### **SECTION A. ENFORCEMENT**

No subdivision plat required by this ordinance or the Idaho Code shall be admitted to the public land records of Bear Lake County or recorded by the Bear Lake County Recorder until such subdivision plat has received final approval by the City Council. No public board, agency, commission, official or other authority shall proceed with the construction of or authorize the construction of any of the public improvements by this ordinance until the final plat has received approval of the City Council. Criminal actions and civil actions maybe be initiated to punish and/or enjoin any violation of this ordinance.

#### **SECTION B. PENALTIES**

Penalties for failure to comply with the provisions of this ordinance shall be as follows:

Violation of any of the provisions of this ordinance or failure to comply any of its requirements shall constitute a misdemeanor. Each day such violation continues shall be considered a separate offense. The land owner, tenant, subdivider, builder, public official or any other person who commits, participates in, assists in such violation may each be found guilty of a separate offense. Nothing herein contained shall prevent the City Council or any other public official or private citizen from taking such lawful actions as is necessary to restrain or prevent any violations of this ordinance or of the Idaho Code.

## **ARTICLE VIII**

### **PASSAGE OF ORDINANCES.**

The passage or adoption of every ordinance, and every resolution or order to enter a contract shall be by roll call of the council with the yea or nay of each being recorded, and to pass or adopt any ordinance or any such resolution or order, a majority of the council shall be required. Ordinances shall be read on three (3) different days, two (2) readings of which may be by title only and one (1) reading of which shall be in full, unless one half (1/2) plus one (1) of the members of the full council shall dispense with the rule. In preparation, passage and publication, ordinances shall contain no subject which shall not be clearly expressed in the title, and no ordinance or section thereof shall be revised or amended unless all ordinances, which are intended to amend existing ordinances, shall have the words which are added to such

ordinance underlined; when the amendment is to strike out or repeal any part of an existing ordinance, the letter, figure, word or words stricken or repealed shall be printed with a line through such letter, figure, word or words in the printed bill to indicate the part stricken or repealed. Provided, however, that when an ordinance includes or consists of the repeal of an entire section or chapter, it shall not be necessary to print such repealed section or chapter. All ordinances may be proved by a certificate of the clerk under the seal of the city and when printed or published individually in book or pamphlet form by authority of the city, shall be read and received in evidence in all courts and places without further proof.

#### **ARTICLE IV**

#### **AMENDMENT PROCEDURES**

The City Council may, from time to time, amend, supplement or-repeal the regulations and provisions of this ordinance in the manner prescribed by the Idaho Code. A proposed amendment, supplement or repeal may be originated by the City Council or by petition.