

CHAPTER IV:

SUBDIVISION CONTROL REGULATIONS

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IV.I Title

A. PURPOSE

The purpose of this Chapter is to protect and promote the public health, safety, and general welfare and to provide for:

1. The proper arrangement of streets or highways in relation to existing or planned streets or highways;
2. Adequate and convenient open space for traffic, utilities, access for firefighting apparatus, recreation, light, and air;
3. Guidance of public and private policy and action in order to assure adequate and efficient water, sewerage, schools, parks, drainage, and other public requirements and facilities;
4. Establishment of reasonable standards of design and minimum requirements for the creation, installation, and improvement of physical facilities which are, or will be, maintained for the benefit of the general public;
5. Establishment of reasonable standards and procedures for subdivisions and re-subdivisions, in order to further the orderly layout and use of land; and to insure proper legal descriptions and monumenting of subdivided land;
6. Prevention of the pollution of air and water, provision of drainage facilities and the safeguarding of the water table; and the encouragement of wise use and management of natural resources in order to preserve the integrity, stability, natural beauty, topography, and the value of the land;
7. Administration of the regulations by defining the powers and duties of approval authorities; and the manner and form of making, filing and processing of any plat;
8. The planning of a subdivision is the joint responsibility of the subdivider and the Vigo County Area Plan Commission, the former having the prime responsibility for the creation of desirable, stable neighborhoods that become an integral part of the entire county. Subdivision design and utility can enhance or depreciate the character and potentialities of the surrounding areas and stabilize or endanger an individual's investment.

B. ADMINISTRATION

This Chapter shall be administered by the Vigo County Area Plan Commission. The Plan Commission may at its discretion modify any and all provisions relating to administrative procedures, filing procedures, etc., in order to improve its services to the public. All subdivision applications and plats shall be reviewed by the Area Planning Department.

C. GRANDFATHER CLAUSE

This Chapter shall not apply to any unrecorded subdivision, or land included within such subdivision, as to which a plat has been prepared by a registered land surveyor, or other person licensed by the State of Indiana to prepare such plats of subdivisions, provided that there shall have been a bona fide sale or transfer of a lot, parcel or tract thereof, prior to the effective date hereof, which sale or transfer shall have been made or induced after reference to such plat, and proved further that the owner or owners of the remaining lots, parcels, tracts, or land remaining unsold on the effective date hereof shall file with the Vigo County Area Plan Commission and in the Office of the Recorder of Vigo County, his, her, their, or its affidavit showing such facts, within thirty (30) days after the effective date hereof, to which affidavit there shall be attached a copy of such plat.

D. COMPLIANCE

No subdivision of land shall be permitted unless in accordance with this Chapter.

1. There shall be no sales or development prior to approval. No person, firm, or corporation proposing to make a subdivision within the jurisdiction of the Plan Commission shall enter into any contract for the sale of, or shall offer to sell, any lots in said area, or shall proceed with any construction work on the proposed subdivision, including grading, until the person, firm, or corporation has obtained from the Plan Commission written approval of a preliminary plat of the proposed subdivision according to the procedures herein outlined. No transfer of title shall be made until final approval has been granted and plat duly recorded.
2. No Certificate of Occupancy shall be issued for any structure on any subdivision lots prior to installation and completion of all required improvements, including grading, as shown on the development plans and approved by the Plan Commission; except that in the case of an asphalt road surface, the installation of the final surface coat may be postponed until the end of the maintenance period. The final coat of asphalt shall be installed prior to acceptance of road for public maintenance.
3. In planning and developing a subdivision, the subdivider or his agent shall comply with the general principles and requirements set forth in this Chapter, and in every case shall pursue the procedures outlined in this Ordinance with the following exceptions:

- a. In a subdivision of five (5) or less lots wherein lots abut existing improved streets of sufficient width, the Plan Commission may approve or reject the subdivision according to the standards set forth herein and may waive the requirements for topographic, street, utility, and storm drainage. Approval of the preliminary and final plats may be concurrent in such instances.
- b. Where the Plan Commission finds that undue hardships or practical difficulties may result from strict compliance with this Chapter and/or that the purposes of this Chapter may be better served by an alternative proposal, it may approve waivers to this Chapter so that substantial justice may be done and the public interest secured, provided that such waivers shall not have the effect of nullifying the intent and purpose of this Chapter; and further provided the Plan Commission shall not approve waivers unless, based upon the evidence presented to it in each specific case, it is found that:
 - i. The granting of the variance will not be detrimental to the public safety, health, or welfare, or injurious to other property;
 - ii. The conditions upon which the request for a variance is based is peculiar to the property for which the variance is sought and are not applicable generally to other property;
 - iii. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner will result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out. Financial hardship alone does not constitute grounds for a variance; and
 - iv. The variance will not in any manner vary the provisions of other Chapters within this Ordinance, the Comprehensive Plan, or the Thoroughfare or Major Street Plan which may be in effect at the time.
- c. In those instances when the waiver or requested variance will have an impact on the design, construction, and maintenance of public facilities, all appropriate public agencies shall be notified and shall be given ample time to comment in writing to the Plan Commission.
- d. The Plan Commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements of this Chapter.

- e. In addition to the requirements established herein, all subdivision plats shall comply with the following rules, laws, and regulations:
 - i. All applicable statutory provisions;
 - ii. The zoning regulations, building and housing codes, and all other applicable laws of the appropriate jurisdictions in effect;
 - iii. The Comprehensive Plan, Thoroughfare Plan, and Capital Improvements Program of the appropriate jurisdictions, including all public facilities, open space, and recreation plans, as adopted;
 - iv. The rules, regulations and standards of the County and State Board of Health, the Natural Resources Commission, and other appropriate state agencies;
 - v. The rules, regulations, and standards of the Indiana State Highway Plan Commission if the subdivision or any lot contained therein abuts a state highway;
 - vi. All applicable planning and regulatory guidelines, including access control or driveway manuals, parking and traffic control regulations, and other applicable guides legally adopted and published by the local governmental units; and
 - vii. The “Indiana Manual on Uniform Traffic Control Devices” for installation of traffic control devices.

E. MAJOR SUBDIVISION

Major subdivisions are subject to a three (3) step review process: sketch plan, preliminary plat and final plat.

1. Sketch Plan Review

- a. The purpose of the sketch plan submittal shall be an informal initial review of the concept and general scope of the proposal at an early stage in the planning of a subdivision. No approval or denial will be rendered for any such submittal, but comments and suggestions may be made to clarify policies or to provide additional guidance.
- b. A subdivider shall prepare and submit a sketch plan to the Area Planning Department. The application shall:
 - i. Be made on forms available at the Area Planning Department;

- ii. Be accompanied by any required fee(s);
 - iii. Be accompanied by the original or a reproducible copy of the sketch plan, and the minimum number of copies as determined by the Area Planning Department;
- c. The Director shall review the sketch plan for technical conformity with the standards fixed in this Chapter.
 - a. Within ten (10) business days after the submittal, the Director shall schedule a conference with the applicant to discuss the proposed subdivision.
 - b. Either the applicant or the Director may request that the sketch plan be reviewed by the Plan Commission if needed to clarify policies or provide additional guidance. In such instances, the sketch plan will be reviewed at the next available Plan Commission meeting.
 - c. The Director will provide the applicant with written comments regarding the proposed subdivision within five (5) business days following the conference or Plan Commission review.
 - d. A preliminary plat must be submitted within six (6) months from the date of the written comments described above, otherwise a new Sketch Plan must be submitted, unless an extension is granted by the Director.

2. Preliminary Plat Review

- a. The applicant shall file an application with the Area Planning Department for approval of the preliminary plat. The application shall:
 - i. Be made on forms available at the Area Planning Department;
 - ii. Be accompanied by any required fee(s);
 - iii. Include all land which the applicant proposes to subdivide and all land immediately adjacent to or that lies directly opposite from the street frontage, with the current use stated on the preliminary plat;
 - iv. Be accompanied by the original or a reproducible copy of the preliminary plat, and the minimum number of copies as determined by the Area Planning Department;
 - v. Be accompanied by the original or a reproducible copy of the preliminary plat, topographic map and/or any other supporting documents together with the minimum number of

copies of each exhibit as determined by the Area Planning Department.

- b. Upon receipt of an application for preliminary plat approval, the Director shall review the application for technical conformity with the standards fixed in this Chapter.

Preliminary subdivision applications and plats which do not conform to the established subdivision standards, but which specifically request waivers from the published standards, shall be submitted to the Plan Commission for public hearing and consideration. Said waivers shall comply with Section IV.I.D.3 of this Chapter.

- c. Within thirty (30) days after receipt of an application for preliminary plat approval, the Director shall announce the date for a hearing before the Plan Commission and provide for notice. After the Director has announced a date for a hearing before the Plan Commission, the Director shall:
 - i. Notify the subdivider in writing;
 - ii. Give notice of the hearing by publication in accordance with IC 5-3-1; and
 - iii. Provide for due notice to interested parties at least ten (10) days before the date set for the hearing.
- d. Prior to the preliminary plat hearing before the Plan Commission, the applicant shall be required to meet with the Technical Committee to review proposed construction plans. Recommendations of this Technical Committee shall be presented to the Plan Commission for its consideration.
- e. After the Plan Commission has reviewed the preliminary plat, construction plans, reports received from the Subdivision Committee, Technical Committee and other agencies, and has heard any testimony submitted at the public hearing, the subdivider shall be advised of any required additions. The Plan Commission shall by written finding approve, conditionally approve, or disapprove the preliminary plat. This decision must be signed by the president and attested by the secretary of the Plan Commission. The Director shall return one (1) copy of the proposed preliminary plat and construction plans to the subdivider with the date of approval, conditional approval or disapproval with the reasons therefore, in writing, accompanying the plat.
- f. As a condition of preliminary plat approval, the Plan Commission may specify:

- i. The manner in which public ways shall be laid out, graded, and improved;
 - ii. A provision for water, sewage, and other utility services;
 - iii. A provision for lot size, number, and location;
 - iv. A provision for drainage design; and
 - v. A provision for other services as specified in this Chapter.
- g. A participating legislative body in this Ordinance may reserve the power to waive any condition that is imposed upon preliminary plat approval by the Plan Commission above. Each participating legislative body shall prescribe the procedure under which a person may apply for a waiver of condition under this Subsection.
- h. The Director shall immediately refer plans to the appropriate agencies of the affected participating jurisdictions for review. Once these agencies indicate their approval of the construction plans or ten (10) business days have elapsed since their distribution without a written response, the Director shall stamp the plans approved and return one (1) set to the applicant. In no event shall approval of the final plat be given prior to approval of the construction plans. If additional information or an extension of time is required before approval can be given, the agency must give written notice within five (5) business days after the receipt of the plans. The notice shall state the information requested or reasons for extensions.
- i. Unless extended, the approval of a preliminary plat shall be effective for a period of two (2) years at the end of which time final plat approval on the subdivision must have been obtained and certified by the president and secretary of the Plan Commission. Any plats not receiving final plat approval within the period of time set forth herein shall be null and void and the developer shall be required to resubmit a new preliminary plat for approval subject to all new zoning and subdivision regulations. Upon request of the applicant, the Plan Commission may extend the approval of a preliminary plat in increments of one (1) year beyond an expiration date without further notice and public hearing.
- j. Every preliminary plat shall conform to existing zoning and subdivision regulations applicable at the time of approval, except that any subdivision which has received preliminary plat approval and has not expired shall be exempt from any subsequent amendments to the zoning ordinance which would otherwise render the plat non-conforming as to size, shape, or use.

3. Final Plat Review

- a. A plat of a subdivision may not be filed with the Auditor, and the Recorder may not record it, unless it has been granted final approval and signed and certified by the president and secretary of the Plan Commission. The filing and recording of the plat is without legal effect unless approved by the Plan Commission.
- b. The Vigo County Recorder may not record a plat of any subdivision within Vigo County unless the plat has been approved in accordance with this Chapter.
- c. No notice or hearing is required for final approval. The Plan Commission may grant final approval of a plat or may delegate to the Executive Committee or the Director the authority to grant such final approval.
- d. When final approval is required by the Plan Commission, the application shall:
 - i. Be made on forms available at the Area Planning Department;
 - ii. Be accompanied by any required fee(s);
 - iii. Be accompanied by the original and the minimum number of copies of the final plat as determined by the Area Planning Department which shall comply substantially with the preliminary plat as approved;
 - iv. Be accompanied by the minimum number of copies of completed final construction plans and/or the topographic plat as determined by the Area Planning Department. Should any modification of these plans be made in the actual construction of these improvements, "as built" drawings shall be submitted upon completion.
- e. When final approval is granted by the Executive Committee or the Director, the application shall:
 - i. Be made in duplicate on forms available at the Area Planning Department;
 - ii. Be accompanied by any required fee(s);
 - iii. Be accompanied by the original and the minimum number of copies of the final plat as determined by the Area Planning Department which shall comply substantially with the preliminary plat as approved;

- iv. Be accompanied by the minimum number of copies of completed final construction plans and/or the topographic plat as determined by the Area Planning Department. Should any modification of these plans be made in the actual construction of these improvements, “as built” drawings shall be submitted upon completion.
- f. The final subdivision plat shall be accompanied by endorsements from all applicable referral agencies to assure the Plan Commission that the plat is in compliance with all rules, regulations, and requirements of local, state and federal authorities, as set forth in preliminary approval.
- g. When approval is required by the Plan Commission, upon receipt of a formal application and all supporting documents, the Director shall assign a docket number and place the application for final approval on the agenda of the next scheduled meeting of the Plan Commission providing the submittal of the application is in compliance with this Chapter.
- h. When approval is delegated to the Executive Committee, upon receipt of a formal application and all supporting documents, the Director shall review the application to determine if all the requirements of the Plan Commission’s preliminary approval have been met. After the Director has determined that all requirements have been met, he shall set a hearing date for the Executive Committee.
- i. When approval is delegated to the Director, upon receipt of a formal application and all supporting documents, the Director shall review the application to determine if all the requirements of the Plan Commission’s preliminary approval have been met. After the Director has determined that all requirements have been met, he shall certify this to the president and secretary of the Plan Commission, who shall then endorse the plat.
- j. No final approval shall be endorsed on the plat until a review has indicated that all requirements of the Plan Commission approval have been met.
- k. All requirements, conditions, or regulations adopted by the Area Plan Commission applicable to the subdivision, or on all subdivisions generally, shall be deemed a condition for any subdivision prior to the time of the signing of the final plat by the president and attested to by the secretary.
- l. Recording of plat:
 - i. The president and secretary will sign the original mylar, drafting paper of the subdivision plat which is to be recorded with the Vigo County Recorder. Said signed plat, after recording, shall be returned to the Area Planning Department

which in turn will be released to the surveyor who prepared the plat.

- ii. It shall be the responsibility of the subdivider or applicant to file the plat with the Vigo County Recorder within ninety (90) days of the date of signature. Simultaneously with the filing of the plat, the subdivider shall record in miscellaneous records, any recommendations so deemed necessary by the Plan Commission. Otherwise, the plat shall be considered void. The subdivider shall pay recording fees.

F. MINOR SUBDIVISION

When not more than a total of five (5) lots are proposed to be created out of one (1) tract, an applicant may consider using the minor subdivision plat approval process in lieu of the major subdivision plat approval process. Minor subdivisions involve a two step review process, preliminary plat and final plat that can be completed concurrently.

An application for a minor subdivision shall be processed as expeditiously as possible. However, the Director, Executive Committee, or the applicant may at any time refer the application to the major subdivision approval process.

1. The applicant shall file an application with the Area Planning Department for approval of a minor subdivision. The application shall:
 - a. Be made on forms available at the Area Planning Department;
 - b. Be accompanied by any required fee(s);
 - c. Include all land which the applicant proposes to subdivide and all land immediately adjacent to or that lies directly opposite from the street frontage, with the current use stated on the preliminary plat;
 - d. Be accompanied by the original or a reproducible copy of the preliminary plat and the minimum number of copies as determined by the Area Planning Department;
 - e. Be accompanied by the original or a reproducible copy of the preliminary plat topographic map and/or any other supporting documents together with the minimum number of copies of each exhibit as determined by the Area Planning Department.
 - f. Be accompanied by the original, or a reproducible copy of the final plat, and the minimum number of copies as determined by the Area Planning Department, if the final plat is to be reviewed concurrently with the preliminary plat.

2. Upon receipt of an application for a minor subdivision, the Director shall review the application for technical conformity with the standards fixed in this Article.
3. Within thirty (30) days from receipt of the application, the Director shall schedule a meeting with the Executive Committee or the Plan Commission for approval or disapproval of the minor subdivision.
4. The Executive Committee or the Plan Commission may approve or disapprove minor subdivisions without public notice and hearing.
5. Not more than a total of five (5) lots shall be created out of one (1) tract, regardless of whether the lots are created at one time or over an extended period of time.
6. If the subdivision is disapproved, the Director shall promptly furnish the applicant with a written statement of the reasons for disapproval.
7. The approval of any plat is contingent upon the plat being recorded within ninety (90) days after the plat is dated and signed by the president and attested by the secretary of the Plan Commission.

G. AMENDMENTS

1. Amendments to a recorded plat shall include re-subdividing, re-platting, minor boundary adjustments, lot consolidations, single transaction large lot subdivision, minor corrections, or any other changes to a recorded plat.
2. Amendments to a recorded plat, for the purpose of minor lot line boundary adjustments, shall include no more than two contiguous lots or parcel, with existing improvements on the lot(s), and in the same unit of a subdivision. No new lots or parcels are created, the resulting lots or parcels are comparable to the size and character of lots or parcels within that subdivision, no lot or parcel is rendered non-conforming, and any existing non-conforming lot or parcel is not rendered more non-conforming. There shall be no significant effect to the adjoining property due to the boundary adjustment.
3. Amendments to a recorded plat for the purpose of consolidating lots, regardless of whether a new boundary or lot line is created, shall include only contiguous lots that are in the same ownership and in the same unit of subdivision.
 - a. Consolidation of lots does not change any of the previously recorded and platted utility easements which shall remain as platted on the subject property.

- b. The applicant may make a written request to all utility companies to vacate utility easements along the center lot line(s) that are to be eliminated.
 - c. If a lot consolidation is requested because of plans to build over the center lot line(s), the applicant shall check with the utility companies before proceeding with the lot consolidation, to ensure that all utility companies will quit claim the easements.
 - d. To have utility easements released along the center lot line(s), applicants must obtain Quit Claim Deeds from each utility company after approval of the lot consolidation by the Plan Commission. These Quit Claim Deeds must be recorded in the Office of the Recorder of Vigo County, at the expense of the applicant.
4. Amending a plat does not change any covenants or restrictions previously recorded pertaining to the subdivision since they run with the land and can be changed only with the written approval of all parties having a legal or equitable interest in the whole subdivision.
5. All platted utility easements shall remain on the subject property unless appropriate releases are obtained. Additional easements, including drainage easements, may be needed when re-subdividing or amending a plat.
6. The applicant shall file an application with the Area Planning Department for approval of a subdivision amendment. The application shall include:
 - a. A written statement giving the details of the proposed plat amendments and the reasons they are necessary.
 - b. An original Tax Certificate(s) for all lots, parcels and/or tracts involved from the Vigo County Treasurer showing that no taxes are currently due or delinquent against the property.
 - c. An original title report done within three (3) months of submission from a licensed Indiana title company shall be provided showing the names of all surface owners and lien holders. The title report shall also include all existing easements.
 - d. Any supplemental data required by the Area Planning Department, which is deemed necessary to adequately review the request. The following information may be needed, to determine the plat amendment is feasible: topography, geology, soils, drainage, floodplain, hazards, roads, etc.
 - e. For minor lot line boundary adjustments and lot consolidations, the following information shall be submitted:

- i. Complete survey data of modified boundaries including all information necessary to establish modified boundaries in the field. All monuments shall be in place in the field.
 - ii. Each lot shall be identified with the existing lot number, and the area of each lot shall be shown on the amended plat. For those portions of property involved that do not require a boundary survey, area may be obtained from the recorded plat.
7. The Director shall review the amended plat for technical conformity with the standards fixed in this Chapter.
8. Within ten (10) business days after the submittal, the Director shall schedule a conference with the applicant to discuss the amended plat.
9. Amendments to a recorded plat may have to go through one or more steps of the subdivision review process which includes sketch plan, preliminary plan and final plat review.
 - a. If it is discovered that there is a minor survey or drafting error on a recorded plat, the applicant shall be required to submit an amended plat indicating the revisions made as compared to the previously recorded plat. Such a correction plat may be approved by the Plan Commission without the otherwise required review or hearing procedures if the corrections are consistent with the approved final plat; and after such approval, it shall be recorded.
 - b. If, however, correction of an error results in conditions which do not comply with this Chapter or results in changes affecting parties other than the applicant, the amended plat shall then be reviewed by the Plan Commission in accord with the procedures for final plat.
 - c. If the amendment request is for the purpose of a minor lot line boundary adjustment or a lot consolidation, the final plat will be submitted to the Plan Commission for signature and final approval, after approval by the Director. The Plan Commission, at the request of the Director or the applicant, may review proposed minor lot line boundary adjustments at a public meeting.
 - d. If the amendment request would trigger either a major subdivision or minor subdivision review, the applicable review process shall apply.
10. If the amended plat is approved by the Plan Commission, the applicant must complete all conditions and pay all fees, and record the amended plat no later than three (3) months from the date of Plan Commission approval, or the amended plat becomes null and void.

H. SPECIFICATIONS FOR DOCUMENTS

Specifications for a sketch plan, preliminary plat, and final plat are as follows:

1. It is not necessary for the sketch plan to be prepared by a registered land surveyor, as it may be prepared by the applicant. The sketch plan submittal shall include:
 - a. A plan, reasonably accurate as to scale, showing access to and the layout of the subdivision, and indicating the relationship of various usages such as residential, commercial, industrial, recreational, public facilities, the street network, and showing features and uses of adjoining lands as related to the proposed subdivision.
 - b. Information on topography, hazard areas which may exist such as flood prone areas, concentrated runoff areas, inadequate drainage areas, steep slopes, etc., and lakes, streams, and vegetation.
 - c. Property ownership of the land to be subdivided and ownership of surrounding lands.
 - d. A plan and other documentation showing the layout or plan of development including, where applicable, the following information:
 - i. Total acreage of land to be subdivided; number and approximate size of proposed lots and tracts.
 - ii. Reasonable evidence that a water supply that is sufficient in terms of quality, quantity and dependability will be available to ensure an adequate supply of water for the type of subdivision proposed.
 - iii. Type of sewage disposal and treatment system proposed for the subdivision.
 - iv. Information concerning providing services and amenities, such as fire protection, solid waste disposal, telephone, electricity, recreation, schools, etc.
2. The preliminary plat shall be prepared by a licensed land surveyor and/or a registered professional engineer at a scale of not more than one inch (1") equals one hundred feet (100'). It may be prepared in pencil, ink, or electronically and the sheets shall be numbered in sequence if more than one (1) sheet is used. All sheets shall be of such size as is acceptable for filing in the Office of the Vigo County Recorder, but shall not be larger than twenty-seven by thirty-six inches (27" X 36"). The map prepared for the preliminary plat may be drawn on drafting

paper, reproducible mylar or electronic media approved by the Director. The preliminary plat submittal shall include:

- a. Name of the existing subdivision if property is within an existing subdivision, or proposed subdivision name if not within a previously platted subdivision.
- b. Name and address, including telephone number of legal owner(s) of the property or their agent.
- c. Name and address, telephone number, and registration number and seal of the professional engineer and/or surveyor responsible for subdivision design, for the design of public improvements, and for surveys.
- d. Location of property by lot or section, township, range and civil township (metes and bounds), with acreage.
- e. Existing covenants to which the property is subject, if any.
- f. Soil percolation data as to location and the rates of each test hole.
- g. A statement that sediment and erosion control methods shall be provided prior to any clearing, grading, or construction, when development is proposed in areas designated by Vigo County Soil and Water Conservation District as being prone to sedimentation and erosion.
- h. Whenever the preliminary plat covers only a part of an applicant's contiguous holdings, the applicant shall submit, at the scale of no more than one (1") inch equals two hundred feet (200'), a sketch of the entire holdings, including the proposed subdivision area, showing an indication of the probable future street and drainage systems, for the remaining portion of the tract.
- i. Graphic scale, north arrow, and date.
- j. The preliminary plat shall show the following features:
 - i. The intended use(s) and zoning of the property.
 - ii. Location of property lines and names of all existing and/or platted streets or other public ways within the tract.
 - iii. The intended location and width of proposed streets and traffic control devices.
 - iv. All easements and rights-of-way, and any limitations of such easements and rights-of-way.

- v. The location of property with respect to surrounding property and streets, including the uses and zoning of all adjoining property, the names of adjoining developments, and names of adjoining streets. Identification of adjacent platted land shall be by subdivision plat name, recording data, and number.
- vi. Approximate topographic contours shown at five foot (5') intervals in rolling or hilly terrain and two foot (2') intervals in level terrain, referenced to sea-level datum and an established bench mark.
- vii. Approximate direction and gradient of ground slope, including any embankments or retaining walls.
- viii. Approximate area of off-site water shed draining into tract.
- ix. The location and results of tests made to ascertain subsurface soil, rock, and ground water conditions. The depth to ground water shall be reported to the Plan Commission unless test pits area dry at a depth of five feet (5').
- x. Natural features such as water courses, marshes, regulated wetlands, rock outcropping, lakes, wooded areas, and trees one foot (1') or more in diameter.
- xi. Man-made features such as burial grounds, railroads, power lines, towers, houses, barns, and other buildings and structures.
- xii. Proposed public improvements, such as highways or other major improvements planned by public authorities for future construction on or near the tract.
- xiii. Location, size, invert elevations, and slopes of existing sewers, water mains, culverts and other underground structures within the tract and existing permanent buildings and utility poles on the tract.
- xiv. Location of fire hydrants.
- xv. Proposals for connection with existing water supply and sanitary sewer systems, or alternative means of providing water supply and sanitary waste disposal and treatment; preliminary provisions for collecting and discharging surface water drainage.

- xvi. The dimensions and area (in square feet) of all proposed or existing lots.
 - xvii. The total number of lots by purpose (such as single-family, two-family, multi-family, commercial, etc.) and specify the net acreage assigned to each purpose.
 - xviii. The intended location, dimensions, and area of all parcels of land proposed to be set aside for park or playground use or other public use, or for the use of property owners in the proposed subdivision.
 - xix. Building setback lines with dimensions.
 - xx. Typical features of driveway entrances.
 - xxi. The location of temporary stakes to enable the local officials to find and appraise features of the proposed layout in the field, if needed.
3. The final plat shall be prepared by a registered land surveyor or engineer at a scale of not more than one inch (1") equals one hundred feet (100'). The sheets shall be numbered in sequence if more than one (1) sheet is used. All sheets shall be of such size as is acceptable for filing in the Office of the County Recorder, but shall not be larger than twenty-seven by thirty-six inches (27" x 36"). The map prepared for the final plat shall be drawn on drafting paper, reproducible mylar or electronic media approved by the Director. The final plat submittal shall include:
- a. The name of the subdivision.
 - b. The name(s) and address(es) of the owner of land to be subdivided; the name and address of the subdivider, if other than the owner; and the name, seal, registration number and address of the land surveyor and/or engineer. Also, citation of last instrument conveying title to each parcel of property involved, giving grantor, grantee, date, and land record reference.
 - c. Protective covenants attached to the plat.
 - d. Legal description of the subdivision.
 - e. Sufficient data acceptable to the local Governmental Engineer to determine readily the location, bearing, and length of lines for reproduction of such lines upon the ground.
 - f. A proposal and schedule for landscaping.

- g. The location and material type of all proposed and existing monuments.
- h. The date, north arrow, and scale.
- i. The final plat shall show the following features:
 - i. The dimensions of all boundary lines of the property expressed in feet and hundredths of a foot, the bearings of all lines to a minimum of one-half ($\frac{1}{2}$) minute. Location by Section, Quarter Section, Township, Range, Civil Township, County, and State.
 - ii. The location and width of all proposed right-of-way, easements, alleys, and other public ways, and building setback lines. Street names and/or numbers to be indicated.
 - iii. The locations, dimensions, and areas of all proposed or existing lots including dimensions of all lot lines expressed in feet and hundredths of a foot, and bearings of all lines to a minimum of one-half ($\frac{1}{2}$) minute.
 - iv. The location and dimensions of all property proposed to be set aside for park or playground use, or other public or private reservation, with designation of the purpose thereof, and conditions, if any, of dedication or reservation.
 - v. Lot areas in square feet.
- j. A block of space shall be set aside on the final plat for the following information and endorsements:
 - i. Plat certification;
 - ii. Subdivision dedication, instrument execution, public notice, certification, and
 - iii. Endorsements from Notary Public, Recorder, and Auditor.
- k. The final plat of any subdivision that includes a private road shall clearly state that such road is a private road. Further, the initial purchaser of a newly created lot served by a private road shall be furnished by the seller with a disclosure statement outlining the maintenance responsibilities for the road. A final plat that shows lots served by private roads shall contain the following notations:

- i. "Further subdivision of any lot shown on this plat as served by a private road may be prohibited by the Vigo County Subdivision Control Regulations."
 - ii. "The policy of the County of Vigo is that, if the County, City or a Town improves streets that were never constructed to the standards required in the Vigo County Subdivision Control Regulations for dedicated streets, then one hundred percent (100%) of the cost of such improvements shall be assessed to abutting landowners."
- I. For subdivisions located within any noise overlay zone as established by the zoning ordinance or noise contour maps as adopted by the Terre Haute International Airport F.A.R. part 150 noise compatibility study noise exposure maps a notice of potentially high aircraft noise levels shall be affixed to and recorded with final plat. The notice shall be worded as follows:
 - m. "Note: All or part of this subdivision is located in an area potentially subject to aircraft noise levels high enough to annoy users of the property and interfere with its unrestricted use. Contact the Vigo County Area Plan Commission or the Terre Haute International Airport for information regarding the most recently calculated levels of current and forecast aircraft noise levels on the property."
 - n. The quality of draftsmanship for final plats shall bear a professional appearance and reveal clear and correct information necessary for use in re-establishing boundary lines, corners and other pertinent information to the original locations. All subdivision plats shall be drawn to a scale which when reduced to half size shall discern clearly this information contained thereon.
 - o. The lack of information under any time specified herein, or improper information supplied by the applicant, shall be cause for disapproval of a final plat.
- I. LOT STANDARDS
- 1. Special consideration shall be given to lot sizes and shapes where private individual sanitary systems (septic tanks) are to be used. Particularly acute is the problem of developing both private septic systems and water systems on the same lot. Because of severe soils, lots larger than prescribed herein may be a necessity.

2. In all instances the capability to adequately accommodate the dwelling unit, water system, sanitary system and access shall take precedence over minimum lot sizes and minimum lot frontage.
3. Suitable easements shall be provided for the installation and maintenance of utilities. Such easements may be located as may be required to properly serve the utilities, but shall, whenever possible, be along road and/or side lot lines. Utility easements shall not be less than ten feet (10') in total width, equally divided between adjacent lots, where such exist, and shall provide reasonable continuity from block to block. Easements shall be for specific purposes and so stated on the plat.
4. Corner residential lots shall be wider than normal in order to permit appropriate setbacks from both streets. In general, the lot shape should be square or trapezoidal.
5. Residential lot width and area requirements for single family and two-family developments shall be as shown on Table IV-1.

Table IV-1: Residential Lot Width and Area Requirements

Type of Development	Sewer & Public Water Available	Neither Sewer Nor Public Water Available	Sewer Only	Public Water Only
Single Family	50' A.L.W. 5,500 Sq. Ft.	100' A.L.W. 20,000 Sq. Ft.	60' A.L.W. 10,000 Sq. Ft.	90' A.L.W. 20,000 Sq. Ft.
Two-Family	50' A.L.W. 6,600 Sq. Ft.	110' A.L.W. 22,000 Sq. Ft.	70' A.L.W. 10,000 Sq. Ft.	100' A.L.W. 20,000 Sq. Ft.
* A.L.W. = Average Lot Width				

- a. Mobile Home Subdivision (sale of lots) shall be the same as single family. "Double wide" units shall be regarded as prefabricated conventional construction for the purpose of this Chapter.
- b. The average lot width should, for most purposes, be the minimum frontage also. However, at no time shall the minimum frontage be less than required for a driveway with adequate radii for ingress and egress.
- c. All lots shall abut on a public or an approved private (non-dedicated) street.
- d. Where lots abut a private (non-dedicated) street or roadway, the lot lines shall extend to the center of the right-of-way; however, the lot

measurements shall be made from the right-of-way line or the outer edge of easement, whichever is greater.

6. Lot arrangements shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all lots in compliance with the zoning regulations and in providing safe driveway access to buildings on such lots from an approved street.
 - a. Lot dimensions shall comply with the minimum standards of the zoning ordinance, where applicable.
 - b. Double frontage and reverse frontage lots shall be discouraged except where necessary to provide separation of residential development from arterial streets or to overcome specific disadvantages of topography and orientation.
 - c. Lots shall not generally derive access exclusively from an arterial or a major collector street. Where driveway access from an arterial or major collector street may be necessary for several adjoining lots, the Plan Commission may require that such lots be served by a common and combined driveway in order to limit possible traffic hazards on such street.
 - d. Lots shall be laid out so as to provide positive drainage away from all buildings and individual lot drainage shall be coordinated with the general storm drainage pattern for the area.
 - e. Topsoil disturbed during subdivision grading operations shall not be removed from residential lots or used as soil, but shall be redistributed so as to provide at least four inches (4") of depth in the area between the sidewalks and curbs, and shall be stabilized by seeding or planting.
7. Side lines of lots shall be at approximately right angles to straight streets and on radial lines on curved streets. Some variation from this rule is permissible, but pointed or very irregular lots shall be avoided.

J. BLOCK STANDARDS

1. Blocks shall have sufficient width to provide for two (2) tiers of lots of appropriate depth. Exceptions to this prescribed block width shall be permitted in blocks adjacent to major transportation facilities, water courses, and industrial, commercial areas, and railroad right of-ways.
2. Whenever practical, blocks along arterials and major collector streets shall not be less than one thousand feet (1,000') in length. As a general rule, blocks in other

residential areas shall not be more than one thousand two hundred (1,200') nor less than four hundred forty feet (440') in length.

3. In residential blocks more than six hundred and sixty feet (660') in length, the Plan Commission may require an easement through the block to accommodate utilities, drainage facilities or pedestrian walkways.
4. Where blocks are developed along arterial streets and/or highways that shall contain alleys, those alleys shall run parallel to said arterial and not perpendicular or radial to it so as to create an intersection between the arterial and alley.

K. MONUMENT STANDARDS

1. All major subdivision boundary corners shall be marked with a monument. Monuments shall be firmly set, substantial and not subject to settlement, frost heave, or other movement. The monument shall be permanent and of such a nature, configuration and/or marking as to permit absolute, unquestionable identification.
2. Monuments shall be detectable with a ferrous metal finder. All monuments shall have a dowel or other permanent point marker and the surface shall have a chiseled, incised or embedded identification. All monuments shall be solid, without openings or voids.
3. Monuments of stone or concrete shall be not less than four inches (4") in the least dimension and shall be nearly square or round. Encased monuments, i.e., concrete in metal pipe or metal casing shall not be less than three inches (3") in diameter. Solid metal cast iron or other fabricated monuments shall be not less than one and one-half inches (1½") in any least dimension and shall expose a surface not smaller than three inch (3") diameter or equivalent area at the surface. Monuments shall extend to a depth of not less than thirty inches (30") below final ground surface level.
4. Intermediate corners, lot corners, reference and/or radius points shall be solid iron rods not less than five-eighths inch (5/8") in diameter, iron pipe not less than three-quarter inch (3/4") in diameter or other accepted long-lived identifiable object which is firmly set, free from movement and which can be located with a ferrous metal detector. Markers shall extend not less than thirty inches (30") into solid ground.
5. All monuments and markers of a subdivision shall be of a similar type material.
6. The location of all monuments and markers shall be determined and set by a professional land surveyor.

L. STREET STANDARDS

1. In all new subdivisions, streets that are dedicated to public use shall be classified as either a minor street, local street, subcollector street, collector street, arterial street, or marginal access street.
 - a. The classification shall be based upon the projected volume of traffic to be carried by the street, stated in terms of the number of trips per day;
 - b. The number of dwelling units to be served by the street may be used as a useful indicator of the number of trips but is not conclusive;
 - c. Whenever a subdivision street continues an existing street that formerly terminated outside the subdivision or it is expected that a subdivision street will be continued beyond the subdivision at some future time, the classification of the street will be based upon the street in its entirety, both within and outside of the subdivision.
2. The classification of streets shall be as follows:
 - a. Minor. A street whose sole function is to provide access to abutting properties. It serves or is designed to serve not more than twenty (20) dwelling units and is expected to or does handle up to one hundred sixty (160) trips per day.
 - b. Local. A street whose sole function is to provide access to abutting properties. It serves or is designed to serve at least twenty-one (21) but no more than forty (40) dwelling units and is expected to or does handle between one hundred sixty (160) and three hundred twenty (320) trips per day.
 - c. Subcollector. A street whose principal function is to provide access to abutting properties but is also designed to be used or is used to connect minor and local streets with collector or arterial streets. Including residences indirectly served through connecting streets, it serves or is designed to serve at least forty-one (41) but not more than one hundred (100) dwelling units and is expected to or does handle between three hundred twenty (320) and eight hundred (800) trips per day.
 - d. Collector. A street whose principal function is to carry traffic between minor, local, and subcollector streets and arterial streets but that may also provide direct access to abutting properties. It serves or is designed to serve, directly or indirectly, more than one hundred (100) dwelling units and is designed to be used or is used to carry more than eight hundred (800) trips per day.

- e. Arterial. A major street in the street system that serves as an avenue for the circulation of traffic into, out, or around a city and carries high volumes of traffic.
 - f. Marginal access street. A street that is parallel to and adjacent to an arterial street and that is designed to provide access to abutting properties so that these properties are somewhat sheltered from the effects of the through traffic on the arterial street and so that the flow of traffic on the arterial street is not impeded by direct driveway access from a large number of abutting properties.
 3. The street system of a subdivision shall be coordinated with existing, proposed, and anticipated streets outside the subdivision or outside the portion of a single tract that is being divided into lots (hereinafter, "surrounding streets") as provided in this Chapter.
 - a. Collector streets shall intersect with surrounding collector or arterial streets at safe and convenient locations.
 - b. Subcollector, local and minor residential streets shall connect with surrounding streets where necessary to permit the convenient movement of traffic between residential neighborhoods or to facilitate access to neighborhoods by emergency service vehicles or for other sufficient reasons, but connections shall not be permitted where the effect would be to encourage the use of such streets by substantial through traffic.
 - c. Whenever connections to anticipated or proposed surrounding streets are required by this Chapter, the street right-of-way shall be extended and the street developed to the property line of the subdivided property (or to the edge of the remaining undeveloped portion of a single tract) at the point where the connection to the anticipated or proposed street is expected. In addition, the governmental engineer may require temporary turnarounds to be constructed at the end of such streets pending their extension when such turnarounds appear necessary to facilitate the flow of traffic or accommodate emergency vehicles. Notwithstanding the other provisions of this Subsection, no temporary dead-end street in excess of one thousand feet (1,000') may be created unless no other practicable alternative is available.
 4. Wherever the location of a street is indicated in the Official Thoroughfare Plan as following an existing road or street, or a section or half-section or other established property line, the location of the street shall conform to such locations; however, a street lying wholly within a subdivision and not designated as following an existing road or establishing property line, may be varied in its alignment when such variance promotes the plan of a neighborhood development

unit in accordance with good site planning principles, and if such alignment provides for the continuing of traffic movement.

- a. In the absence of any street being designated in each section of land, within the jurisdiction, on or approximately on the north-south and east-west section lines of such section, it is the intent of the Official Thoroughfare Plan and this Chapter that arterial streets be established on such section lines where feasible.
 - b. Wherever the location of a street is indicated in the Official Thoroughfare Plan as following an irregular alignment or a revised alignment or is not referenced to an established line, it shall follow the alignment shown in the Official Thoroughfare Plan. Such alignment shall be subject to a detailed survey which may be provided by the Plan Commission or other public agencies, or by the owners of land to be subdivided if required by the Plan Commission. The survey for such street shall be subject to the approval of the Plan Commission prior to the dedication of the street.
 - c. Whenever a street classified in the Official Thoroughfare Plan is to be platted as a part of a subdivision, the required right-of-way width for such street shall be as specified in the Official Thoroughfare Plan, provided that where a street borders a tract of land to be subdivided, the owner of such land shall be required to plat only one-half ($\frac{1}{2}$) of the right-of-way designated for such street, measured at ninety degrees (90°) to the centerline thereof. In most instances, the subdivider will not be expected to develop all the elements of the road system contained in the designated standard profile (such as the construction of a four-lane divided facility). He will, however, be required in all cases to provide the necessary right-of-way.
5. Streets shall be related appropriately to the topography. In particular, streets shall be designed to facilitate the drainage and storm water runoff objectives set forth in this Chapter, and street grades shall conform as closely as practicable to the original topography.
- a. The maximum grade at any point on a street constructed without curb and gutter shall be six percent (6%). On streets constructed with curb and gutter the grade shall not exceed six percent (6%) unless no other practicable alternative is available. However, in no case *may* streets be constructed with grades that, in the professional opinion of the governmental engineer, create a substantial danger to the public safety. Minimum grade of five tenths (0.5) shall be maintained for proper drainage.
 - b. The owner of each lot abutting on a subdivision street shall maintain the surface area from the edge of his property to the edge of the roadway.

(Edge of the roadway in this instance shall mean the lot side face of curb and gutter or the lot side edge of shoulder.) The maintenance shall be limited to normal lot or yard maintenance and protective measures to check erosion. This does not give lot owners authority to alter or block drainage elements.

6. Wherever a dedicated or platted portion of a street or alley exists adjacent to the proposed subdivision, the remainder of the street or alley to the prescribed width shall be platted within the proposed subdivision.
 - a. Whenever the proposed subdivision contains or is adjacent to a railroad right-of-way or a highway designated as a “limited access highway” by the appropriate highway authorities, provisions shall be made for a marginal access road, or a parallel street at a distance acceptable for the appropriate use of the land between the highway or railroad and such streets.
 - b. Alleys shall be included in commercial and industrial areas where needed for loading and unloading or access purposes, and where platted, shall be at least twenty-two feet (22’) in width.
 - c. Alleys shall be permitted in residential areas where desired for access purposes, and where platted, shall be at least sixteen feet (16’) in width.
7. Table IV-2 identifies classifications of streets that may be constructed with four foot (4’) wide shoulders and drainage swales on either side in lieu of curb and gutter, so long as the street grade does not exceed a grade of six percent (6%), except that all streets constructed within the City of Terre Haute shall have concrete curbs.

Table IV-2: Street Type and Width (Without Curb and Gutter)

Street Type	* Minimum Right-of-Way Width (in feet)	Minimum Pavement Width (in feet)
Minor	50	18
Local	50	20
Subcollector	55	22
Collector	60	24
Arterial	80 - 120	12’ per lane 10’ min. shoulder
* Minimum width of right-of-way may have to be increased to facilitate proper drainage swales or for utilities.		

8. Except as otherwise provided in Table IV-2 above, all streets shall be constructed with curb and gutter. Only standard ninety degree (90°) curb may be used, except that roll-type curb shall be permitted along minor and local streets within

residential subdivisions. Table IV-3 below identifies classifications of streets that shall comply with these requirements.

Table IV-3: Right-of-Way Width by Street Type (With Curb and Gutter)

Street Type	* Minimum Right-of-Way Width (in feet)	Minimum Pavement Width (in feet), excluding curbs
Minor	40	20
Local	40	22
Subcollector	50	24*
Collector	60	28*
Arterial	80 - 120	12' per lane plus 8' for on street parking
* Additional pavement width may be required based on speeds exceeding 30 mph.		

9. The general layout of streets shall be in the following manner:
 - a. Subcollector, local, and minor residential streets shall be curved where practicable to avoid conformity of lot appearance.
 - b. Cul-de-sacs and loop streets are encouraged only where through traffic on residential streets should be minimized.
 - c. All permanent dead-end streets (as opposed to temporary dead-end streets) shall be developed as cul-de-sacs in accordance with the standards set forth in this Chapter. Except where no other practical alternative is available, such streets may not extend more than eight hundred eighty feet (880') (measured to the center of the turnaround).
 - d. The right-of-way of a cul-de-sac shall have a radius of fifty feet (50'). The radius of the paved portion of the turnaround (measured to the centerline of the pavement) shall be thirty-five feet (35'), and the pavement width shall be twelve feet (12') without curb and gutter or eighteen feet (18') with curb and gutter. The unpaved center of the turnaround area shall be landscaped and shall have a positive drainage outlet under the roadway.
 - e. Half streets (i.e., streets of less than the full required right-of-way and pavement width) shall not be permitted except where such streets, when combined with a similar street (developed previously or simultaneously) on property adjacent to the subdivision, creates or comprises a street that meets the right-of-way and pavement requirements of this Chapter.

10. Streets shall intersect as nearly as possible at right angles, and no two (2) streets may intersect at less than sixty degrees (60°). Not more than two (2) streets shall

intersect at any one (1) point, unless the governmental engineer certifies to the Area Planning Department that such an intersection can be constructed with no extraordinary danger to public safety.

- a. Whenever possible, proposed intersections along one (1) side of a street shall coincide with existing or proposed intersections on the opposite side of such street. In any event, where a centerline offset (jog) occurs at an intersection, the distance between centerlines of the intersecting streets shall be not less than one hundred fifty feet (150').
 - b. Except when no other alternative is practicable or legally possible, no two (2) streets may intersect with any other street on the same side at a distance of less than four hundred feet (400') measured from centerline to centerline of the intersecting street. When the intersected street is an arterial, the distance between intersecting streets shall be at least one thousand feet (1,000').
 - c. A sight prism shall be provided at all intersections. This prism is an imaginary envelope in which no obstruction may be erected which will interfere with the vision of approaching drivers. The sight prism shall exist at all quadrants of each intersection in a subdivision. The prism is measured along the centerline of the approach roadways. The length of each leg of the sight prism shall be one hundred ten feet (110') measured from the intersection of the two (2) centerlines. The prism begins at one and one-half feet (1½') above the centerline and extends to a height of fifteen feet (15').
 - d. Minimum curb radius at street intersections shall be eighteen feet (18').
11. Street names shall be assigned by the developer subject to the approval of the Area Planning Department. Proposed streets that are in alignment with existing streets shall be given the same name. Newly created streets shall be given names that neither duplicate nor are phonetically similar to existing streets within the applicable jurisdiction, regardless of the use of different suffixes.
- a. Street names shall include a suffix such as the following:
 - i. Circle (a short street that returns to itself)
 - ii. Court (a cul-de-sac or dead-end street)
 - iii. Loop (a street that begins at the intersection with one (1) street and circles back to end at another intersection with the same street)
 - iv. Street

- v. Place
- vi. Avenue
- vii. Drive

b. Building numbers shall be assigned by the Area Planning Department.

12. The developer shall provide, at each street intersection, substantial, legible, permanent street signs, in accordance with the above street naming standards. In addition, the developer shall cause to be erected a pylon or sign at the entrance of the subdivision that will display the official subdivision name. The cost of placing signs will be borne by the developer.
13. The Plan Commission, at its discretion, may waive the requirement that the subdivider dedicate roads, upon evidence presented by the subdivider to the reasonable satisfaction of the Plan Commission that the private roads will be properly maintained by a property or homeowners association.

All private roads and access ways shall be designed and constructed to facilitate the safe and convenient movement of motor vehicle and pedestrian traffic. Width of roads, use of curb and gutter, and paving specifications shall be determined by the provisions of this Chapter.

14. All new streets, public or private (non-dedicated), within a subdivision shall be designed to meet the geometric standards set forth elsewhere within this Chapter and the construction of streets shall equal or exceed the minimum requirements set forth herein, except that within the City of Terre Haute all road and drainage design shall be in accordance with the Standards and Specifications of the City of Terre Haute. All bridges shall be constructed in accordance with the standards and specifications of the Indiana Department of Transportation.

- a. The developer of a subdivision shall be responsible for the design, development, construction, and maintenance of all streets within an approved subdivision. The developer's responsibility for maintenance of streets shall be continuous until:
 - i. The street is offered to and accepted by the local governmental agency, or
 - ii. The street is offered to and accepted by a private agency (such as a homeowners association) having adequate resources and/or authority to levy funds for the maintenance of said streets.

- b. The developer shall prepare and submit for approval drawings of the proposed street or streets within the subdivision as specified in this Chapter. Street drawings shall present at least the following information:
 - i. Proposed street plan and profile showing existing ground profile;
 - ii. Typical cross-section;
 - iii. Cross-section;
 - iv. Proposed drainage and drainage relief; including sizes for all pipe culverts under roadways and proposed driveways;
 - v. Soil conditions at the site; and
 - vi. Certification that the streets within the subdivision will be built in compliance with the requirements set forth in this Chapter.
- c. All construction traffic shall, when at all possible, be routed to major arterial streets and remain off internal subdivision roads.

Whenever it is determined by the governmental engineer that an existing road has been damaged due to heavy construction loads attributed to new development, repairs may be required by the developer of the new subdivision per recommendations of the governmental engineer.
- d. If the local governmental engineer finds upon inspection that any of the required improvements have not been constructed in accordance with the applicable construction standards and specifications, the developer shall be responsible for correcting any errors in construction and completing the improvements in accordance with such standards and specifications. Wherever the cost of improvements is covered by a performance bond, the applicant and the bonding company shall be severally and jointly liable for completing the improvement according to specifications.
- e. The local governmental engineer may require physical testing of material placed in streets, walks, curbs, and other appurtenances during construction. Such testing, if required, shall be done by an agency acceptable to the local governmental engineer. The cost for testing and the submission of test reports shall be borne by the developer. Certification may be used as evidence of quality where appropriate.
- f. Construction methods and materials for streets and appurtenances, unless specifically expected or revised by this Chapter, shall comply with

all appropriate provisions of the current edition of the Indiana Department of Transportation Standard Specifications, hereinafter referred to as the Standard Specifications. The Plan Commission shall secure and maintain copies of the Standard Specifications, as issued to be held available to the public for study and reference.

- g. The standards set forth herein for the construction of streets within subdivisions are minimum standards.
 - i. The minimum construction standards set forth herein shall apply equally to public streets and private (non-dedicated) streets.
 - ii. The developer, if so required by the Plan Commission, shall submit data, plans, and specifications for the construction of streets and drainage prepared and sealed by a licensed professional engineer in the State of Indiana. Upon approval by the Plan Commission, the specific design and specifications, so submitted, shall become the minimum standards for the subdivision.
 - iii. The Plan Commission may direct additional study and design for the construction of streets within a subdivision where the recommendations of the Vigo County Soil Conservation Service cannot eliminate the unstable ground and drainage conditions that are known to exist.
- h. Street Construction – Subgrade
 - i. All vegetation, organic material, trash, rubble, and topsoil shall be removed from the area to be paved.
 - ii. Pavement construction shall not be placed upon soft or yielding subgrades.
 - iii. The governmental engineer may require inspection of the subgrade prior to further work.
 - iv. The governmental engineer may require testing and compaction of the subgrade in accordance with the procedures set forth in the Standard Specifications, except that one hundred percent (100%) of maximum dry density per AASHTO T99 shall be changed to ninety-five percent (95%).

- i. Street Construction – Base Course
 - i. Base course shall be sense-graded, compacted aggregate similar and equal to Standard Specifications size 53, Type 0, or size No. 2 crushed limestone or equivalent as approved by the governmental engineer.
 - ii. Compacted thickness of any base course application shall be not less than two inches (2") nor more than four inches (4").
 - iii. Base course shall be not less than eight inches (8") in total compacted thickness per Standard Specifications except that one hundred percent (100%) is changed to ninety-five percent (95%).
 - iv. The top four inch (4") course shall be a minimum of No. 53 crushed limestone.
 - v. Base course for use under rigid pavement may be reduced to less than minimum standard thickness provided that evidence of suitability of the subgrade is established and a variance approved by the Plan Commission. Said variance shall be obtained by the appropriate governmental agency and be accepted by them. Said variance shall be the responsibility of the developer.
- j. Street Construction – Flexible (Asphalt) Pavement
 - i. Flexible pavement shall be hot asphalt emulsion or hot asphalt concrete not less than three inches (3") total compacted thickness, (two inch [2"] inch base course and one inch [1"] surface) placed upon a prepared base course).
 - ii. Materials, mix and application shall be in compliance with the appropriate requirements of the Standard Specifications.
 - iii. Finish and finish tolerances shall be in compliance with the Standard Specifications.
- k. Street Construction – Rigid (Plain Concrete) Pavement
 - i. Shall be not less than six inches (6") in thickness placed upon a prepared base course. Five inch (5") minimum for minor and local streets in residential subdivisions.
 - ii. Concrete shall contain not less than six (6) bags of cement per cubic yard, shall have a compressive strength at twenty-eight

(28) days of not less than four thousand (4,000) pounds per square inch and shall not have less than four percent (4%) nor more than six percent (6%) air entrained.

- iii. The preparation, placement, finish, and curing of the concrete shall be in compliance with the appropriate provisions of the Standard Specifications.
- iv. Longitudinal joints shall be constructed in all pavement more than one (1) lane in width, tie bars may be required.
- v. Transverse contraction joints shall be placed at intervals not to exceed twenty feet (20'). Transverse joints may be sawed or formed. All joints shall be sealed as specified by the governmental engineer.
- vi. Load transfer devices may be required at contraction joints if specified by the governmental engineer.

I. Street Construction – Curbs, Portland Cement Concrete

- i. All curbs and gutters shall conform to Standard Specifications for combined curb and gutter. Maximum joint spacing shall be sixteen feet (16') or shall match joints in concrete pavement when concrete pavement is used.
- ii. Whenever individual lot access ways are installed, the entire curb and gutter section shall be removed to the nearest joint, and a depressed curb shall be installed.
- iii. No material is to be placed upon the curb and gutter to allow lot access.

M. ACCESS STANDARDS

1. Except as otherwise provided in this Chapter, all lots created after the effective date of this Ordinance shall abut a public street. For purposes of this subsection, the term “public street” includes a preexisting public street as well as a street created by the subdivider that meets the public street standards of this Chapter and is dedicated for public use. Unless the recorded plat of a subdivision clearly shows a street to be private, the recording of such a plat shall constitute an offer of dedication of such right-of-way.
2. Every lot shall have access to it that is sufficient to afford a reasonable means of ingress and egress for emergency vehicles as well as for those likely to need or desire access to the property in its intended use.

3. Anyone wishing to connect a private roadway or driveway onto a public street shall be required to obtain a Driveway Permit. The Driveway Permit shall conform to standards contained within the Indiana Department of Transportation Driveway Permit Handbook. A Permit Bond is established for all commercial drives and new roadways into subdivisions.
4. Whenever a subdivision that involves the creation of one or more new streets borders on or contains an existing or proposed arterial street, no direct driveway access may be provided from the lots within the subdivision onto the arterial street.
5. Driveway access to collector streets shall be minimized through the use of access roads to facilitate the free flow of traffic and avoid traffic hazards. No direct driveway access shall be permitted to a county road.
6. Driveway entrances and other openings onto streets shall comply with local or state requirements and be designed and constructed so that:
 - a. Vehicles can enter and exit from the lot in question without posing any substantial danger to themselves, pedestrians, or vehicles traveling in abutting streets, and
 - b. Interference with the free and convenient flow of traffic in abutting or surrounding streets is minimized.
7. Minimum curb radius at private driveways shall be ten feet (10').

N. SIDEWALK STANDARDS

1. Subdivisions which have three (3) lots or more per acre, or which are contiguous with or extensions to existing subdivisions which have sidewalks, shall have sidewalks dedicated and installed along both sides of the street for pedestrian use.
2. Subdivisions which have less than three (3) lots per acre, or which are not contiguous with or extensions to existing subdivisions that have sidewalks, shall have sidewalks dedicated and installed along at least one side of the street for pedestrian use.
3. Sidewalks and/or street curbs may also be required in those areas where the absence of such improvements would create a hazard to the area environment and to the health, safety, and welfare of its residents.
4. Whenever curb and gutter construction is used with sidewalks on public streets, wheelchair ramps for the handicapped shall be provided at intersections and other major points of pedestrian flow. Wheelchair ramps and depressed curbs

shall be constructed in accordance with the published standards of the appropriate state agency.

5. Whenever the Plan Commission finds that a means of pedestrian access is necessary from the development to schools, parks, playgrounds, or other roads or facilities and that such access is not conveniently provided by sidewalks adjacent to the roads, the developer shall be required to reserve an unobstructed easement of at least ten feet (10') to provide such access.
6. Whenever the Plan Commission finds that a sidewalk is not necessary in a commercial or industrial subdivision where sidewalks have not previously been installed on adjacent tracts, or which are not contiguous with or extensions to existing subdivisions that have sidewalks, a waiver from these sidewalk standards may be considered.
7. Sidewalks shall be constructed within the dedicated unpaved portions of the right-of-way of all streets. Sidewalk construction shall comply with the following specifications:
 - a. All sidewalks shall be of Portland cement concrete as specified for rigid pavement.
 - b. Sidewalks shall be not less than four inches (4") thick, four feet (4') in width, and placed upon a prepared subgrade or base.
 - c. Preparation, placement, finish and curing of sidewalks shall be in compliance with the appropriate provisions of the Standard Specifications.
 - d. Transverse joints shall be sawed, tooled, or formed in all sidewalks at intervals of not more than five feet (5').
 - e. All sidewalks shall have a finish surface which will not become slippery.

O. DRAINAGE

1. The subdivider shall provide the subdivision with an adequate storm water sewer system, and easements for such surface drainage shall be provided.
2. In a subdivision where curbs and gutter are not provided, the subdivider shall furnish one (1) of the following types of improvements to facilitate roadside drainage and to assure suitable entrances for private driveways which are proposed to intersect the roadway.
 - a. A twenty foot (20') long corrugated (non-spiraled) pipe or plastic pipe placed at all driveways, sized according to the calculated amount of storm

water flow, but not less than twelve inches (12") in diameter. Minimum cover over any culvert will be twelve inches (12"), or

- b. A properly dipped concrete pavement swale, fourteen feet (14') in length, eight feet (8') in width and six inches (6") thick, designed so as not to create damage to automobiles, at the entrance of each driveway.
3. Open ditches are permitted in special cases if approved by the Plan Commission. They should be used, however, only when no other recourse is available.
4. In any subdivision where surface or subsurface drainage runoff must flow over or run through adjacent lot(s), the subdivider shall provide adequate easements for said drainage way and shall petition to the Vigo County Drainage Board for its acceptance of maintenance, or the easement and maintenance responsibility shall be turned over to a private agency (such as a homeowners association) which has authority to levy funds to maintain said drainage system.
5. The following shall apply when the responsibility of maintenance for drainage areas is that of the Vigo County Drainage Board:
 - a. In order to ensure the maintenance of properly designed and installed drainage systems, the following paragraphs shall be required as a provision of the restrictive covenants of all final plats. Said signed copy of this covenant shall be filed with the County Surveyor.
 - i. Drainage swales (ditches) along dedicated roadways and within the right-of-way, or on dedicated drainage easements, are not to be altered, dug out, filled in, tiled, or otherwise changed without the written permission of the Vigo County Drainage Board. Property owners must maintain these swales as sodded grassways, or other non-eroding surfaces. Water from roofs or parking areas must be contained on the property long enough so that said drainage swales or ditches will not be damaged by such water. Driveways may be constructed over these swales or ditches only when appropriate sized culverts are installed.
 - ii. Any property owner altering, changing, or damaging these drainage swales or ditches will be held responsible for such action and will be given ten (10) days notice by registered mail to repair said damage, after which time, if no action is taken, the Vigo County Drainage Board will cause said repairs to be accomplished, and the bill for such repairs will be sent to the affected property owner for immediate payment.
6. The Vigo County Drainage Board will accept petitions for urban drains. The County Surveyor shall review construction drawings submitted. The design standards will

be in accordance with the approved standards of the Vigo County Surveyor. The Vigo County Drainage Board shall follow procedures as established in the Drainage Code of Indiana for assessments and maintenance of all drainage areas accepted by them.

7. The Vigo County Drainage Board will not have jurisdiction or provide maintenance on individual lots for surface swales or subsurface tile drains.
8. Run-off quantities shall be computed for the area of the parcel under development plus the area of the watershed flowing into the parcel under development. Methods acceptable to the Vigo County Surveyor shall be used for calculations.
 - a. The minor drainage system (such as inlets, manholes, street gutters, roadside ditches, swales, sewers and small channels) which collect storm water run-off must accommodate a ten (10) year rainfall intensity without flooding to the tops of the curbs; provided, however:
 - i. Open channels carrying greater than thirty (30) cubic feet per second shall be capable of accommodating a fifty (50) year rainfall intensity within the drainage easement, and
 - ii. Culverts shall be capable of accommodating a twenty-five (25) year rainfall intensity when crossing under a road which:
 - (1) Carries a higher volume of traffic than other adjacent routes, or has the potential for carrying such volumes, and
 - (2) Is a part of a pattern of arterial routes for the entire urban area, and
 - (3) Is oriented primarily to moving traffic rather than to serving abutting land use.
 - b. The major drainage system (drainage systems carrying runoff from an area in excess of one (1) square mile) shall be designed in accordance with Indiana Department of Natural Resources Standards.
 - c. Where the Vigo County Drainage Board is responsible for maintenance of the drainage system, access easements of twenty-five feet (25') from the bank on each side of the open channel must be dedicated to the Vigo County Drainage Board. The subdivider shall provide a drainage plan. The plan shall include, at a minimum, the following:
 - i. Size and location of all drainage elements;

- ii. Contouring for drainage, with calculations for culvert and channel size;
 - iii. Storm water basins if they are to be provided;
 - iv. Drainage of all street right-of-way;
 - v. Drainage of all public land, dedicated public land and utility easements;
 - vi. Type of storm and runoff calculations.
9. Where a subdivision is traversed by an existing water course, drainage way, channel or stream, adequate area shall be reserved as an easement for maintaining, cleaning and improving the drainage way. The drainage way easement shall be of a width sufficient to accommodate the drainage way as improved for subdivision use.
10. The right-of-way for all legal drains shall conform to Section 601 of the Indiana Drainage Code.
11. No subdivision or any part thereof shall be approved if levees, fills, structures or other features within the proposed subdivision will, individually or collectively, significantly increase flood flows, heights, or damages. If only part of a proposed subdivision can be safely developed, the Plan Commission shall limit development to that part.
 - a. For any proposed subdivision that is located within a flood plain, as determined by Flood Hazard Maps supplied by Federal Emergency Management Agency, the subdivider shall provide the Plan Commission and the Indiana Department of Natural Resources with all the documents required by these regulations, and in addition, shall provide the Plan Commission and Indiana Department of Natural Resources with such supporting documentation and justifications as may be required, to comply with local state and federal regulations.
 - b. The subdivider shall demonstrate conclusively to the Plan Commission that the proposed subdivision will not present a hazard to life, limb or property; will not have adverse effects on the safety, use or stability of public ways or drainage channels; and that all approvals, permits and reviews have been received from the Indiana Department of Natural Resources when required.
12. Lots on soils having a severe limitation for development due to seasonal high water table as determined by the National Cooperative Soil Survey of Vigo County shall be developed where practicable so that each lot can be provided with an outlet for perforated subsurface drainage tile. When it is impossible for each lot to

have an outlet for subsurface drainage tile on their own lot then the developer shall cause to be installed a public perforated subsurface drainage system that each lot can connect to. Such public tile system shall be required where two (2) or more lots are dependent upon the subsurface tile for overcoming the seasonal high water table. Adequate easements shall be provided for maintenance. Where a sealed storm drainage system is installed on severe soils, one (1) subsurface outlet into the storm sewer shall be provided for each lot to connect subsurface drainage tile.

13. In addition to the above stated requirements, the following shall apply to all subdivisions.
 - a. No subdivision plat shall be approved which does not make adequate provision for storm or flood water runoff. The drainage system shall be separate and independent of any sanitary sewerage system. Storm sewers, where required, shall be designed by a registered professional engineer. A copy of the design computations shall be submitted along with plans. Inlets shall be provided so that surface water is not carried across or around any intersection, nor for a distance of more than four hundred feet (400') in any gutter. Surface water drainage patterns shall be shown for each lot and block.
 - b. The applicant shall be required to carry away by pipe, where practicable, any spring or surface water that may exist either previously to, or as a result of, the subdivision. Such drainage facilities shall be located in the road right-of-way where feasible, or in perpetual unobstructed easements of appropriate width.
 - c. Where a public storm sewer or natural outlet is accessible, the applicant shall install storm sewer facilities, or if no outlets are within a reasonable distance, adequate provisions shall be made for the disposal of storm waters subject to the specifications of the local governmental engineer.
 - d. Where conditions exist that would require a storm sewer size larger than what is normally required for a particular size subdivision, the local government shall bear the additional cost for the oversized facility, over and above what would be required for the subdivision alone.
 - e. If the Plan Commission determines that a connection to a public storm sewer will eventually be provided as shown in existing plans and programs, the subdivider shall make arrangements for future storm water disposal in the subdivision, by a public sewerage system at the time the plat receives final approval. Provision for such connection shall be incorporated by inclusion in the performance bond required for the subdivision plat.

P. SEWERAGE FACILITIES

Every principal use and every lot within a subdivision shall be served by a sewage disposal system that is adequate to accommodate the reasonable needs of such use or subdivision lot and that complies with all applicable health regulations.

1. Whenever it is legally possible and practicable in terms of topography to connect a lot with a sanitary sewer line by running a connecting line not more than three hundred feet (300') from the lot to such line, then no use of sewage disposal service may be made on such lot unless connection is made to such line.
2. Connection to such sewer line is not legally possible if, in order to make connection with such line by a connecting line that does not exceed three hundred feet (300') in length, it is necessary to run the connecting line over property not owned by the owner of the property to be served by the connection, and after diligent effort, the easement necessary to run the connecting line cannot reasonably be obtained.
3. For purposes of this Section, a lot is "served" by sanitary sewer line if connection is required by this Section.
4. Primary responsibility for determining whether a proposed development will comply with these standards may reside within an agency other than the Plan Commission, and the developer must comply with the detailed standards and specifications of such other agency. The relevant agencies are listed in Table IV-4 below. Whenever any such agency requires detailed construction or design drawings before giving its official approval to the proposed sewage disposal system, the authority issuing a permit under this Chapter may rely upon a preliminary review by such agency of the basic design elements of the proposed sewage disposal system to determine compliance with these standards. However, construction of such system may not be commenced until the detailed plans and specifications have been reviewed and any appropriate permits issued by such agency.
5. In Table IV-4 below, the column on the left describes the type of development and the column on the right indicates the agency that must certify to the Plan Commission whether the proposed sewage disposal system complies with the standards set forth in this Chapter.

Table IV-4: Certifications

IF	THEN
<p>Lots within the subdivision to be served by simple connection to existing public sanitary sewer lines or lines of a previously approved private system.</p>	<p>No further certification is necessary.</p>
<p>Lots within the subdivision are to be served by the public sanitary sewer system but the developer will be responsible for installing the necessary additions to the system.</p>	<p>The Sanitary District Engineer must certify to the Plan Commission that the proposed system meets the sanitary district’s specifications and will be accepted by the sanitary district. (A “Preconstruction Agreement” must be obtained from the Board of Public Works and Safety.)</p>
<p>Lots within the subdivision are to be served by a sewage treatment system that has not been approved, that has a design capacity of 3,000 gallons or less, and that does not discharge into surface waters.</p>	<p>The County Health Department (CHD) must certify that the proposed system complies with all applicable state and local health regulations. If each lot within the subdivision is to be served by a separate on-site disposal system, the CHD must certify that each lot shown on a major subdivision preliminary plat can probably be served and each lot on a major or minor subdivision final plat can be served by an on-site disposal system.</p>
<p>Lots within the subdivision are to be served by a privately operated sewage treatment system (not previously approved) that has a design capacity in excess of 3,000 gallons or that discharges effluent into surface waters.</p>	<p>The Indiana Department of Environmental Management (IDEM) must certify that the proposed system complies with all applicable state regulations. (A “Permit to Discharge” must be obtained from IDEM.)</p>

6. Soil types having severe limitations or soil absorption sewage disposal systems, as designated by the Natural Resource Conservation Service, shall not be used for soil absorption sewage disposal facilities unless the Plan Commission, the Vigo County Soil and Water Conservation District representatives and the Vigo County Board of Health representative agree that such planned corrective measures have been taken so as to enable adequate and safe sewage disposal.

Q. WATER SUPPLY

Every principal use and every lot within a subdivision shall be served by a water supply system that is adequate to accommodate the reasonable needs, of such use or subdivision lot and that complies with all applicable health and fire protection regulations.

1. The subdivider shall provide the subdivision with a complete water main supply system, which shall be connected to an existing approved municipal or community water supply, where such system is available within a one thousand foot (1,000') radius of the tract boundaries. Where a public water main is accessible, the subdivider shall install adequate water facilities including fire hydrants, subject to the specifications of the State and Local authorities.
2. An individual water supply may be installed on each lot in the subdivision in accordance with the minimum requirements of the Indiana State Board of Health (refer to Bulletin No. S.E. 7, Safe Water Supplies, current issue) if an existing approved municipal or community water supply is not available within a one thousand foot (1,000') radius of the tract boundaries. The responsibility of individual water supplies will be that of the developer for each lot.
3. The plans for the installation of a water main supply system shall be provided by the subdivider and approved by the Indiana State Board of Health (refer to Regulations HSE 5, I.S.B.H.). Upon completion of the water supply installation the plans for such system as built shall be filed with the Plan Commission.
4. The location of all water supply improvements (including fire hydrants) shall be shown on the preliminary plat, and the cost of providing and installing shall be included in the performance bond.

R. FIRE PROTECTION

Every development that is served by a public water system shall include a system of fire hydrants sufficient to provide adequate fire protection for the buildings located or intended to be located within such development. Design standards shall conform to the National Fire Protection Association (NFPA) standards or local requirements.

1. Fire hydrants shall be located so that all parts of every building within the development may be served by a hydrant by laying not more than five hundred feet (500') of hose connected to such hydrant. However, the appropriate fire chief may authorize or require a deviation from this standard if in his professional opinion another arrangement more satisfactorily complies with NFPA standards.
2. The appropriate fire chief shall determine the precise location of all fire hydrants, subject to the other provisions of this Section. In general, fire hydrants shall be placed six feet (6') behind the curb line of publicly dedicated streets that have curb and gutter.
3. The appropriate fire chief shall determine the design standards of all hydrants based on fire flow needs. Unless otherwise specified by the appropriate fire chief, all hydrants shall have two (2), two and one-half inch (2 ½") hose connections and one (1), four and one-half inch (4 ½") hose connection. The two and one-half inch (2 ½") hose connections shall be located at least twenty-one and one-half inches

(21 ½") from the ground level. All hydrant threads shall be national standard threads or specifications approved by the appropriate fire chief.

4. Water lines that serve hydrants shall be at least six inch (6") lines, when possible, and unless no other practicable alternative is available, no such lines shall be dead-end lines.
5. The location of the hydrants and size of the mains shall conform to accepted standards and shall be reported to the appropriate agency responsible for fire protection. The developer's responsibility for maintenance of the hydrants shall be continuous until the hydrants are accepted by the appropriate governmental agency.

S. UTILITY LOCATION

1. In any case in which a developer installs or causes the installation of gas, electrical power, telephone, or cable television facilities and intends that such facilities shall be owned, operated, or maintained by a public utility or any entity other than the developer, the developer shall transfer to such utility or entity the necessary ownership or easement rights to enable the utility or entity to operate and maintain such facilities.
2. Where public gas is to be used, the size and location of all transmission and distribution lines shall be indicated. Where the location is not explicitly defined, the Plan Commission may designate the location of all lines in public right-of-way utility easements.
3. All electrical transmission line locations within residential subdivisions shall be approved by the Plan Commission.
 - a. The location of electrical distribution lines within the public right-of-way shall be approved by the Plan Commission.
 - b. Where underground distribution and/or service is to be provided at the lot fronts, a utility easement for either or both the distribution lines and transformer pit shall be provided within the front yard setback area.
4. Where applicable, telephone and cable TV lines shall be located on the same poles as the electrical distribution system.

All telephone or cable TV lines placed within the public right-of-way shall be approved by the Plan Commission as to location in the right-of-way.

T. DEDICATIONS AND PERFORMANCE GUARANTEES

1. The approval by the Plan Commission of a subdivision plat shall not be deemed to constitute or imply the acceptance by the local government of any street easement, or other public area shown on said plat. Acceptance of formal offers of dedication of streets, public areas, easements, and parks shall be by official action of the Board of Public Works and Safety, applicable Town Board or Board of County Commissioners.
2. Subsequent to preliminary plat approval but before the final plat is signed by the president and secretary of the Plan Commission, the subdivider shall be required to complete all the streets, curbs, sidewalks, sanitary and storm sewers, drainage elements, waterlines, street signs, and other public improvements on the individual lots of the subdivision as required in this Chapter, specified in the preliminary subdivision plat, and as approved by the Plan Commission.
3. The Plan Commission, in its discretion may waive the requirement that the applicant complete all public improvements prior to the approval of the final subdivision plat, and that, in lieu thereof, the applicant shall post bond securable to the appropriate governmental jurisdiction, hereinafter referred to as performance bond, in an amount equivalent to one hundred ten percent (110%) of the estimated cost of completion of the required public improvements, which shall be sufficient to secure to the participating jurisdiction the satisfactory construction and installation of the uncompleted portion of required public improvements.
 - a. That in lieu of such a bond, the developer may submit a certified check made payable to appropriate governmental jurisdiction in an amount equivalent to one hundred ten (110%) percent of the estimated cost of completion of the uncompleted portion of required public improvements. Any such checks shall be held by the fiscal officer of the appropriate governmental jurisdiction.
 - b. That in lieu of such a bond the subdivider may submit a certificate of deposit made out to the appropriate governmental jurisdiction and the developer, to be held by the fiscal officer of the appropriate governmental jurisdiction and in an amount equivalent to one hundred ten percent (110%) of the cost of completion of the uncompleted portion of required public improvements.
 - c. That in lieu of such a bond the subdivider may submit documentation that funds are on deposit with a state or federally insured bank and allocated for specific subdivision improvements. Said amount shall be in an amount equivalent to one hundred ten percent (110%) of the estimated cost of completion of the uncompleted portion of required public improvements.

- d. Such performance bond shall comply with all statutory requirements and shall be satisfactory to the attorney for the appropriate governmental jurisdiction as to form, sufficiency, and manner of execution as set forth in this Chapter.
 - e. The period within which required public improvements must be completed shall be specified by the in the resolution approving the preliminary subdivision plat and shall be incorporated into the bond and shall not in any event exceed two (2) years from date of final approval. The appropriate governmental jurisdiction may, upon proof of difficulty, grant an extension of the maximum period of one (1) additional year, provided that the bond submitted for this extension period meets all other requirements herein.
 - f. The appropriate governmental jurisdiction may at any time during the period of such bond accept a substitution of principal or sureties on the bond.
 - g. Such bond shall be approved by the participating jurisdiction as to the amount.
4. The developer shall build and pay all costs for temporary improvements required by the Plan Commission and shall maintain same for the period specified by the Plan Commission. Prior to construction of any temporary facility or improvement, the developer shall file with the local government a separate suitable bond for temporary facilities, which bond shall ensure that the temporary facilities will be properly constructed, maintained, and removed.
 5. For a subdivision for which no performance bond has been posted, if the improvements are not completed within the period specified by the Plan Commission in the resolution approving the plat, the approval shall be deemed to have expired, and final plat voided.
 6. A governmental unit shall not accept dedication of appropriate required improvements, nor release nor reduce a performance bond, until the governmental engineer has submitted a certificate stating that all required improvements have been satisfactorily completed.

A performance bond may be reduced upon actual dedication and acceptance of public improvements and then only to the ratio that the dedicated public improvements bear to the total public improvements for the plat. In no event shall a performance bond be reduced below ten percent (10%) of the principal amount until all improvements have been completed and accepted.

7. The Plan Commission may defer or waive at the time of preliminary plat approval, subject to appropriate conditions, the provisions of any or all such improvements as, in its judgment, are not requisite in the interest of public health, safety, and

general welfare, or which are inappropriate because of inadequacy or lack of connecting facilities.

8. The installation of improvements shall be inspected by the appropriate participating jurisdiction. Such inspections are required in all instances regardless of whether the work is performed before or after final approval. Failure to request inspection of work performed after the date of this Chapter and before final plat approval may be cause for denial of final plat approval.
9. Sectionalizing of plats
 - a. Subsequent to granting preliminary plat approval of a subdivision, the Plan Commission may permit the plat to be divided into two or more sections and may impose such conditions upon the filing of the sections as it may deem necessary to assure the orderly development of the plat. The Plan Commission may require that the performance bond or other instrument be in such amount as is commensurate with the section or sections of the plat to be filed and may defer the remaining required performance bond principal amount until the remaining sections of the plat are offered for final plat approval. The same policy shall apply to installation of improvements.
 - a. The developer may also file irrevocable offers to dedicate streets and public improvements in the sections offered to be filed but may defer filing offers of dedications for the remaining sections until such sections, subject to any conditions imposed by the Plan Commission, shall be granted final approval.
 - b. If the Plan Commission approves such sectionalizing, the plat shall be filed with the Vigo County Recorder within ninety (90) days of the date of final plat signature.
 - c. Approval of a plat does not constitute acceptance by any governmental unit having jurisdiction of the offer of dedication of any streets, sidewalks, parks, or other public facilities shown on a plat. However, a governmental unit having jurisdiction may accept any such offer of dedication by resolution.
 - d. All facilities and improvements which the owner offers to dedicate to public use shall be maintained by the owner until such offer of dedication is accepted by the appropriate public authority.