ORDINANCE # 223-02

AN ORDINANCE OF THE VILLAGE OF BANCROFT, MICHIGAN KNOWN AS:

NEW SUBDIVISION/PLAT ORDINANCE

The Village of Bancroft ordains:

No person or other entity shall construct or develop a plat and/or subdivision within the Village of Bancroft without first securing the approval of the Bancroft Village Council in accordance with this Ordinance.

PROCEDURES FOR PLAT DEVELOPMENT

SECTION I - ORDER OF PROCEDURE

The following steps, which will be explained in detail in subsequent sections, will be followed by the Bancroft Village Council in considering any plat:

A. Approval of a Preliminary Plat.

B. Approval of Road and Drainage Plans.

C. Site Grading and Construction of Roads and Drainage.

D. Final Inspection and Approval.

SECTION II - DEFINITIONS

A. COUNCIL - The Bancroft Village Council, County of Shiawassee, State of Michigan.

B. VILLAGE ENGINEER - The Engineer employed by the Village of Bancroft, designated to act for the plat approvals.

C. ENGINEER - The Registered Professional Engineer or Registered Land Surveyor employed by the proprietor of a plat to prepare plans and supervise construction of the roads, streets and alleys in the plot.

D. LABORATORY - Any materials Testing Laboratory which is approved by the Village Engineer.

E. INSPECTION - The close observation and examination of the various construction operations as a means of determining the acceptability of the completed roads.

F. M.D.O.T. - The Michigan Department of Transportation.

G. M.D.O.T. SPECIFICATIONS - The current Standard Specification for Road and Bridge construction and Supplemental Specifications thereto as issued by the Michigan Department of Transportation.

H. PLAT ACT - Act 288 of the Michigan Public Acts of 1967 and all amendments thereto.

I. PRELIMINARY PLAT - A map showing the preliminary layout of a subdivision in sufficient detail to allow review by the Village Council and other interested agencies.

J. FINAL PLAT - A map of all or part of the subdivision prepared and certified by a registered professional engineer or a registered land surveyor. In accordance with the requirements of the Plat Act, known as the Subdivision Control Act of 1967.

SECTION III - PRELIMINARY PLANS

A. PRELIMINARY PLAT - Two copies of the preliminary plat layout drawn to scale not smaller than 1 inch to 200 feet on a 24" x 38" sheet by the Proprietors Engineer shall be submitted to the Village for approval. The preliminary plat layout shall show plainly all of the following and meet the requirements listed:

1. Show locations and extent of property. This shall include a location sketch showing the plat in relation to the Village Street System and names of all abutting property owners.

2. Show plat dimensions on the portion of layout for which approval is requested. Approximate dimensions are sufficient.

3. Give the locations of the plat with reference to the part of Section in which the parcel is situated.

4. Show locations and names of proposed streets and alleys together with drainage arrows. Names of streets must be approved by the council and the Sheriff's Department (911).

5. Show topography with not less than 5 foot contour interval.

6. Show plainly all governing conditions such as:

   (a) Adjoining subdivisions and adjoining streets.

   (b) State trunkline highways shall be identified by name and route number.

   (c) Rivers, natural water courses, existing county or private drains, sewers and cross culverts on existing roads.

(d) Railroads and cemeteries or parks.

(e) All other features that the location or existence of which might influence the layout of the Plat.

7. Show typical cross sections of street to be constructed including right of way width which shall comply with the requirements as established by the Village Council.

8. Show the name of the proprietor and engineer or surveyor, with mailing addresses and telephone numbers of each.

9. The layout of roads, streets and alleys in the proposed plat shall provide a continuous circuit for travel except when, in the opinion of the Council, the lands are limited in area or are subject to a natural barrier. In such cases a dedication that provides access to a public highway at one end only will be acceptable, if a dedication or easement is given on additional land at its terminus so as to permit turning in a continuous circuit or by some other means approved by the Council. The street layout shall fit the pattern established by the adjacent roads and streets. All existing public roads, streets or alleys that terminate at the boundaries must be connected with the road and street system of the proposed plat. When the proposed plat abuts unplatted land, provisions shall be made for future street extensions to the title line of the unplatted area.

10. All streets and highways which are extensions of or in line with, existing streets must carry the names of those in existence. Other streets and highways shall be given such names as the owner may choose, subject to the approval of the Council and Sheriff's Department (911).

11. Half width streets or alleys will be acceptable only when the boundary of the proposed plat coincides with the boundary of a recorded plat on which a half width street or alley has previously been dedicated.

12. The Council will give approval or disapproval of the plans in writing. Approval will be for a two year period. If Road and Drainage Plans are not approved within this two year period, then the preliminary plan approval is void.

B. ROAD AND DRAINAGE PLANS

1. *General*: After approval of the preliminary plan, two (2) copies of the Road and Drainage Plan as prepared by the proprietor's engineer or land surveyor covering all the roads within the plat must be submitted to the Village Engineer for approval. These plans shall consist of plan and profile drawings and cross-sections, which shall comply with the current specifications required by the Council.

The construction plans must bear the seal of a licensed Professional Engineer or Land Surveyor.

All streets and alleys shall be provided with facilities for adequate surface drainage. This may be accomplished by the use of ditches, underground storm drains, county drains, village drains, water courses, or constructed tributaries thereto. It is strongly recommended that this be done with underground storm drains. All cross lot drainage shall be enclosed unless the Village Engineer and Drain Commissioner approves an exception.

Where ditches, other than standard roadside ditches, cross lot drainage or under ground drainage is provided they must be made a part of the County Drain System, by the proper legal procedures through the County Drain Commissioner, and meet all necessary requirements as to right of way, easements, and permits for use of land.

No construction of roads or drains shall be started until the Road and Drainage Plans have been approved.

When the plans are approved or disapproved, such action will be marked on the plans and one (1) copy will be returned to the proprietors engineer. Revised plans will be approved when they show compliance with all requirements.

If sidewalk and/or curb and gutter are to be provided in the subdivision they must be detailed in the Road and Drainage Plans.

When a lake or river backwater is located within the proposed development, the following shall be shown:

(a) Location of any water level control structures.

(b) Elevation of lake or water level as established through the Shiawassee County Drain Commission and Michigan Department of Natural Resources procedures.

Approval will be for a two year period. If construction is not started within this two year period, then the Road and Drainage Plan approval is void.

2. *Road Plans*: The plans must show plainly all of the following information:

(a) Plan view with the centerline or top of curb profile or ditch profile directly below the plan view.

(b) Typical cross-section of the road to be constructed.

(c) The proposed grades shall coincide with datum determined by the USGS of USC&GS, if practicable. A permanent bench mark shall be established in the plat and shown on the plans.

(d) the location, size and depth of all underground structures used for road

drainage within the plat.

(1) Show clearly sizes, lengths and locations of all cross road culverts;

(2) Show location and type of inlets and cleanout points for underground drainage systems;

(3) Show standard plan for all catch basins, inlets, manholes, etc. This may be done by reference to M.D.O.T Standard Plans (MHI-A etc).

(e) Show locations and profile of all drains outside of the roadway area that are going to be utilized for roadside drainage.

(f) Show 10' wide utility easement each side of the road.

(g) The Drainage Plan may be superimposed on the Road Plan if this can be done without sacrificing clarity.

(h) The Village Engineer may require soil borings to indicate the nature of the soil and the elevation of the water table.

(i) A detailed estimate of cost showing work items, unit costs and total costs must accompany the plans.

C. LOCATIONS FOR UNDERGROUND UTILITIES - For uniformity and to provide room for all utilities it is recommended that the following locations be used:

1. Utility locations within the road right of way:

(a) Sanitary Sewers - near centerline of roadway;

(b) Storm Sewers - either side, 8' from property line.

2. Utilities to be located within the utility easement:

(a) Water Mains - North or West side of road 5' from property line;

(b) Gas Mains - South or East side of the road 5' from property line;

(c) Other - by approval of the Council.

D. RIGHT OF WAY REQUIREMENTS:

1. All street construction shall be centered on the street right of way.

2. State or U.S. Trunklines shall be of the width required by the Michigan Department

of Transportation.

3. All arterial and/or section line roads shall be a minimum width of 100 feet.

4. All secondary, collector, and/or quarter line roads shall be a minimum width of 100 feet.

5. Local streets within any Industrial Park shall be a minimum width of 100 feet.

6. Local streets (ordinary subdivision streets) shall be a minimum width of 66 feet.

7. All dead-end streets shall be provided with a turn-around (Cul-de-Sac) with a minimum external diameter of 150 feet. The maximum length of a Cul-de-Sac shall not be more than 1320 feet, unless the Council approves an exception.

8. Alleys shall have a width of not less than 30 feet.

9. The right of way on all curves of curvilinear streets shall be the same width as the right of way on the tangents.

10. Greater or lesser widths of right of way may be required by the Council when considered necessary.

11. The maximum length of blocks shall be 1320 feet. The maximum distance between access points (public streets) to abutting property shall be 1320 feet.

12. All points of access from parcels of land to traveled ways shall comply to the general plan herein adopted in order to promote adequate provision for traffic safety as authorized in Section 183 (1)(b) of Act 288, P.A. 1967 as amended.

13. All subdivision lots must front on interior subdivision streets or independent service roads approved by the Council. The existing village street system is to be preserved for traffic movement with minimum friction resulting from residential and commercial access points, thereby promoting more adequate traffic safety.

14. All right of way lines, at road intersections, shall have a minimum radius of 20 feet.

15. No portion of a proposed subdivision road shall be located closer than 200 feet to the nearest right of way line of an intersecting road or street.

E. CONSTRUCTION OF STREETS

1. It is recommended that systematic procedure of construction be followed in order to eliminate any possible disagreements between the Village and the proprietor and his agents. All public and private underground utilities shall be installed after the rough grading has been completed and before any paving or final restoration.

2. Construction on/or of frozen material will not be approved.

3. Permits must be obtained from the Village by the Contractor for any construction within the right of way of existing village streets.

4. The proprietors engineer shall set and check grade and alignment, inspect all materials incorporated in the street and drain construction and supervise and inspect all construction within the street right of way and drainage easements.

5. Inspections will be made by the Village prior to and during the placing of the sand subbase and gravel base. The proprietor or his engineer are to give reasonable advanced notice to the Village as to when the above operations are to commence.

6. All testing required during construction is the responsibility of the proprietor's engineer. Copies of all test results and/or reports are to be furnished to the Village Engineer.

7. An inspections by the Village Engineer or his agents during the course of construction are for the benefit of the Village and are made to verify the proper construction of the streets. Such inspections by the Village shall not relieve the proprietor's engineer of his obligations.

F. VILLAGE APPROVAL OF PLAT

1. After construction of the roads, streets, alleys, and drains are completed the proprietor shall furnish the Council with a letter requesting an inspection by the Village Engineer, a certificate from his engineer, a set of "as built plans", a letter from the County Drain Commissioner stating that the drains are a part of a county drain system, and a copy of the Traverse Closure Sheet.

2. If the work is not complete and acceptable the Engineer will be notified as to the deficiency. The Village Engineer will make a re-inspection of the work after being notified by the Engineer that the deficiencies have been corrected.

3. When all plat procedures have been completed satisfactory, the plat (Mylars-1 copy) will be recommended by the Village Engineer for signature by the Village Council.

G. FINANCIAL REQUIREMENTS AND RESPONSIBILITIES

1. Escrow Agreements

(a) Escrow agreements are furnished by the Village. Escrow will only be accepted for Bituminous Surfacing. The agreements are to be for a one (1) year period.

(b) Deposits shall be in the form of cash, certified checks, or bank letter of credit, at the option of the Village.

(c) If the streets are not completed and in an acceptable condition within one (1) year after the approval of the plat by the Village Council, the proprietor will be held in default and procedures will be taken to have the streets completed.

(d) The deposit required shall be equal to at least 100 percent of the approved proprietor's engineer's estimate of the cost of the Bituminous Surface.

(e) Release of the deposit will be made upon receipt of the final certificate from the proprietor's engineer, proof of payment in full of all contractors employed on the road and the approval of the streets and plats by the Board.

2. *Inspection and Administrative Fee*: A fee in the amount of one percent (1%) of the approved proprietor's engineer's estimate of the total cost of construction of the street improvements shall be paid to the Village prior to construction and plat approval. This fee is to cover administrative cost and inspection made by the Village in relation to the plat.

3. *Signs*: At the time of the final approval of the plat the proprietor shall pay to the Village in cash, the amount necessary to furnish and place street signs. The Village will then install the street signs as soon as practicable.

4. Approval of any construction phase by the Village does not guarantee acceptance of the streets for maintenance by the Village or relieve the proprietor of responsibilities or liabilities incurred by the development of the Plat.

5. The roads and streets shall be maintained by the proprietor in a smooth, clean and firm manner until final acceptance by the Council.

H. ROAD COMMISSION ACCEPTANCE OF STREETS FOR MAINTENANCE

1. Prior to acceptance of the streets by the Council, the proprietor's engineer shall turn over a complete set of "as built drawings".

2. All driveways and driveway culverts installed prior to acceptance of the streets for maintenance will be inspected during the final inspection.

3. The proprietor's engineer shall certify that he has personally supervised and inspected all construction, that all drainage facilities have been installed and all streets built in accordance with the approved plans and specifications, and that all monuments, including the permanent bench mark, are set.

4. In no case will a partial acceptance of the streets in the plat be made for maintenance.

SECTION IV - SEVERABILITY CLAUSE

If any part of these procedures or requirements are found to be invalid, each invalidity shall not affect the remaining portion of the procedures or requirements which can be given effect without the invalid portion, and to this end the procedures or requirements are declared to be severable.

PLANS AND SPECIFICATIONS FOR STREET CONSTRUCTION

SECTION V - PLANS

A. PRELIMINARY PLAT - The preliminary plans show all pertinent data necessary to develop construction plans and shall be drawn on standard size (24" x 36") sheets to a scale of not less than 1 inch to 200 feet.

B. CONSTRUCTION PLANS - The construction plans shall be of the same dimension and clarity as the preliminary plans. The drawings shall include all construction details, paving layout, sanitary sewer layout, water main layout, and drainage layout, together with profiles of the above. The plan and profile drawing of each sheet shall be on standard (24" x 36") plan and profile sheet. Minimum scale Horizontal 1" 100'. Vertical 1" 10'. The construction plans shall include the following drawings:

1. Typical cross section;
2. Paving and Drainage layout;
3. Sanitary Sewer and Water Main layout;
4. Utility Easement;
5. Construction details referred to.

These plans shall show all pertinent design and construction information.

C. AS-BUILT PLANS - Revised construction plans in accordance with all approved field changes shall be submitted with the engineers final certificate.

SECTION VI - ROAD DRAINAGE

A. Storm Sewer

1. Design

(a) Size shall be in accordance with the Shiawassee County Drain Commissioners design standards and approved by the Shiawassee County Drain Commissioner and the Village Council.

(b) Materials shall be as specified by the current M.D.O.T. Standard Specifications.

2. Structures and Covers

(a) All structure design shall be in accordance with current M.D.O.T. Standard Plans for manholes, catch basins and inlets.

(b) Covers - All structure covers shall be in accordance with current M.D.O.T. Standard Plans, or approved equivalent.

3. Spacing of Structures

(a) Catch basins, inlets and culverts shall be placed such that at intersections, low points and necessary intermediate points are properly drained or as indicated and approved by the Village Engineer.

(b) Manholes shall be located at all changes in alignment, size or grade and be spaced approximately 300 feet apart.

4. Construction

(a) to be inspected by the proprietor's engineer and be true to line and grade and properly bedded and backfilled in accordance with the current M.D.O.T. standards and specifications for construction.

B. ROADSIDE DITCHES AND CROSSING CULVERTS

1. The minimum ditch grade shall be 0.4%. The maximum ditch grade shall not exceed 7.0%. Grades up to 2.0% shall be seeded and mulched, grades from 2.0% to 4.0% shall be sodded. Grades over 4.0% shall be rip-rapped or paved.

2. Crossroad culverts are to be corrugated metal pipe. Reinforced concrete pipe may be substituted if used between drainage structures. Smoothed walled plastic pipe may only be used if approved by the Village Engineer.

(a) The minimum size for standard crossroad culverts shall be 18" diameter with end section, or equivalent sizes were applicable.

(b) All culverts shall meet current M.D.O.T. Specifications.

(c) Installation of culverts shall be in accordance with current M.D.O.T. Specifications.

3. Roadside ditches shall be stabilized and free of sedimentation and erosion prior to acceptance of the streets for maintenance by the Village.

SECTION VII - ROADS - GENERAL REQUIREMENTS

A. TYPICAL SECTIONS

1. The current minimum requirements of the Village are as follows:

   Typical Urban Section (local streets)
   66' ROW minimum
   curb and gutter - 30' face to face
   underground storm drainage
   sub-base 8 compacted sand - 36' width
   base & compacted 22A gravel 36' width
   surface 3" bit. Agg. MDOT 4,00 (330# per yard)
   2 course construction - 30' width

   In areas where multiple dwellings or other factors may create a parking problem a 36' face curb section will be required.

   Typical Rural Section (local streets)
   66' ROW minimum
   Sub-base 8" compacted sand - 34' width at top
   Base - 6" compacted 22A gravel - 30' width
   Surface - 3 bit. Agg MDOT 4,00 (550# per sq yd)
   3 course construction - 24' width

   Alternative Section: Deep strength asphalt or reinforced concrete as approved by Village Engineer.

   Typical Industrial Section (curbed)
   100' ROW minimum
   curb and gutter - 30' face to face
   underground storm drainage
   sub-base - 8" compacted sand - 36' width at top
   base - 8" compacted 22A gravel - 36' width at top
   surface - 5 bit. Agg. MDOT 4,000 (550# per sq yd)
   2 course construction - 30' width

2. See Section III-D for minimum right of way requirements.

B. ALIGNMENT

1. Minimum sight distance onto existing Village Street (intersections) shall not be less than 750 feet where practical.

2. Vertical curves shall be designed with a minimum length of .01 ess-itian 150 feet and

a minimum stopping sight distance of 200 feet.

(a) Horizontal curves shall be designed with a minimum radius of 150 feet.

3. The minimum grade on any street shall be 0.4 percent.

4. The maximum grade on any street shall be 7.0 percent.

5. The minimum crown on any street shall be 2.0% transverse slope.

C. CLEARING AND GRUBBING: Trees, including stumps and brush, within the roadway, ditch lines and 10' wide utility easement shall be removed. All stumps and brush within the right of way shall be removed. All trees, including stumps, within the right of way and utility easement, as indicated by the Village Engineer shall be removed.

D. UTILITIES: All utilities shall be located in accordance with Section III-C of Procedures for Plat Development. All underground utilities and lot or house services shall be installed prior to the subbase and base construction. All underground sewer, water and other appropriate utilities shall be stubbed to the right of way line and closed with standard plugs and stoppers.

E. FINISHED EARTH GRADE: The finished earth grade shall be free of all topsoil, stones, stumps, organic matter, muck, peat and frost heave material and shall be prepared in accordance with the current M.D.O.T. Standard Specifications. The backfill of all trenches (sewer, utility, culverts, etc.) that are within the grade of the proposed streets, shall be thoroughly compacted. The top two (2) feet of backfill shall be sand or other approved porous material. The entire width of the right of way shall be graded so that any point on the right of way shall be not more than 1.0' above or 1.0' below the finished centerline grade.

F. BASE MATERIAL AND CONSTRUCTION

1. Base Material shall be in accordance with the current M.D.O.T. Standard Specifications.

(a) Sand sub-base will be required as shown on typical section. Material shall be thoroughly compacted. (Density testing is required).

(b) Aggregate Base shall be compacted 22A gravel as required. Material shall be placed in two courses of equal thickness. Each course shall be thoroughly compacted. (Density testing is required).

(c) The Engineer shall present to the Village Engineer a certified analysis, made by a laboratory approved by the Village Engineer, of the gravel that is intended to be used on the streets. This analysis must be presented and approved before any surfacing is placed on the streets.

(d) The use of bituminous stabilized base is permissible. Specifications and

construction procedures must be approved by the Village Engineer.

2. The complete base course shall conform to the required line, grade and cross section. The use of water or chemical admixtures to aid in the consolidation of the base course shall be approved by the Village Engineer.

3. All material and construction shall be in accordance with the current M.D.O.T. Standard Specifications for Road and Bridge Construction.

4. Upon completion of all gravel basework an application of liquid calcium chloride may be required on the gravel surface to control dust.

G. SURFACING MATERIALS AND CONSTRUCTION

1. Bituminous paving materials and construction methods shall be in accordance with the current M.D.O.T. Standard Specifications for Road and Bridge Construction.

2. Concrete pavements shall be constructed in accordance with the current M.D.O.T. Standard Specifications for Road and Bridge Construction.

3. No bituminous or concrete surfacing will be placed during the same year that the gravel surfaced streets were built. The streets will be allowed to season until the next year.

4. During the seasoning period all necessary maintenance work shall be the responsibility of the proprietor, including, but not necessarily limited to, grading the gravel surface to keep it in a reasonable smooth condition, snow plowing as needed, and dust control as required.

5. If the proprietor wishes to record his plat after completing all work except bituminous or concrete surfacing, he may obtain the approval of the Village by signing an agreement and posting a cash bond, certified check, surety bond, or a bank letter of credit guaranteeing the completion of the surfacing (See Section III-G).

H. SIDEWALKS AND CURB AND GUTTER

1. *Sidewalks*: Sidewalks, when called for on the plans, shall meet the M.D.O.T. Standard Specifications for Road and Bridge Construction. The depth of walk shall be not less than 4 inches except at driveways where it shall be not less than 6 inches reinforced or 8 inches plain concrete. Sidewalk grades shall be shown on the plans, when walks are to be constructed.

2. *Curb and Gutter*: When curb and gutter is called for on the plans, it shall be constructed with a minimum distance of 30 feet face to face to curb. The roadway, curb height and curb and gutter cross section shall be shown on the plans. Concrete curb and gutter shall meet the requirements of the current M.D.O.T. Standard

Specifications for Road and Bridge Construction and shall include two 112' reinforcing bars. The use of bituminous curbs will not be allowed.

I. NON-SPECIFIED MATERIALS AND CONSTRUCTION - All items that are not specified within these Specifications but that are essential to the proper construction of the roads in question, shall be of material and construction in accordance with the current M.D.O.T. Standard Specifications for Road and Bridge Construction, and approved by the County Engineer.

SECTION VIII - EFFECTIVE DATE:

This Ordinance shall take effect twenty (20) days after its passage, as set forth hereafter.

Date of Adoption: May 8, 2002

Date of Publication: May 22, 2002

Effective Date: May 29, 02

I Kasey Fiebernitz, being the Clerk of the Village of Bancroft, Michigan, do hereby certify that the foregoing is a true and correct copy of the Village of Bancroft Ordinance No. 223-02 passed on May 8, , 2002, by the Village Council, by a vote of 7 yeas and 0 nays. Further, I do certify that I did cause the same or a synopsis to be published in the Argus Press newspaper, Owosso, Michigan, within fifteen (15) days after such adoption by the Village Council of Bancroft, pursuant to M.S.A. 5.1274.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 8th day of May, A.D., 2002.

By: Lynda L. Crowder
Village President

By: Kasey J. Fiebernitz
Village Clerk

Publish: May 22, 2002