§ 155.045 ESTABLISHMENT OF CONTROL BY THE COMMISSION.

(A) No plat or replat of a subdivision of land located within the jurisdiction of the City Plan Commission shall be recorded until it shall have been approved by the Commission.

(B) Approval shall be entered in writing on the plat by the President and Secretary of the Commission.

(Prior Code, § 156.045) (Ord. 19-1964, passed - -)

§ 155.046 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALLEY. A permanent public service way provided in a secondary means of access to abutting lands.

BLOCK. Property abutting on one side of a street and lying between the two nearest intersecting or intercepting streets, or between the nearest intersecting or intercepting street and railroad right-of-way, waterway or other definite barrier.

BUILDING SETBACK LINE. The line nearest the front of and across a lot establishing the minimum open space to be provided between the front line of buildings and structures and the front lot line.

CITY ENGINEER. The engineer of the city.

COMMISSION. The City Plan Commission.

COMPREHENSIVE MASTER DEVELOPMENT PLAN. The complete plan, or any of its parts, for the development of the city prepared by the Commission and adopted in accordance with I.C. 36-7-4- 700, as is now or may hereafter be in effect.

CUL-DE-SAC or ***DEAD-END STREET.*** A short street having one end open to traffic and being terminated by a vehicle turn-around.

EASEMENT. A grant by the property owner of the use of a strip of land by the public, a corporation or persons, for specified purposes.

JURISDICTION OF THE COMMISSION. The city and the contiguous unincorporated territory shown on a map filed by the City Plan Commission with the County Recorder.

LOT. A portion of a subdivision, or other parcel of land intended as a unit for transfer of ownership or development.

MAJOR STREET OR HIGHWAY PLAN or ***THOROUGHFARE PLAN.*** The part of the Comprehensive Master Development Plan for the city, now or hereafter adopted, which includes a major street and highway plan and sets forth the location, alignment, dimensions, identification and classification of existing and proposed streets, highways and other thoroughfares.

PLACE. An open unoccupied space other than a street or alley, permanently reserved for use as the principal means of access to abutting property.

STREET. A right-of-way, other than an alley, dedicated or otherwise legally established to the public use, usually affording the principal means of access to abutting property. A ***STREET*** may be designated as a highway, thoroughfare, parkway, boulevard, road, avenue, land, drive or other appropriate name.

(1) ***ARTERIAL STREET.*** A street designated for large volumes of traffic movement. Certain ***ARTERIAL STREETS*** may be classes as limited access highways to which entrances and exits are provided only at controlled intersections and access is denied to abutting properties.

(2) ***FEEDER STREET.*** A street planned to facilitate the collection of traffic from residential streets, and to provide circulation within neighborhood areas and convenient ways for traffic to reach arterial streets.

(3) ***RESIDENTIAL STREET.*** A street designated primarily to provide access to abutting properties, usually residential. Certain ***RESIDENTIAL STREETS*** may be marginal access streets parallel to arterial streets, which provide access to abutting property and ways for traffic to reach access points on arterial streets.

SUBDIVIDER. Any person or persons, firm or corporation engaged in developing or improving a tract of land which complies with the definition of a subdivision as defined below.

SUBDIVISION.

(1) The division of any parcel of land into two or more parcels, sites or lots, any one of which is less than five acres in area for the purpose of transfer of ownership, or building development, providing that the division or partition of land into parcels not involving any new streets or easements of access shall not be considered a subdivision; or

(2) The improvement of one or more parcels of land for residential, commercial or industrial structures or groups of structures involving the subdivision and allocation of land as streets or other open spaces for common use by owners, occupants or lease use by owners, occupants or lease holders or as easements for the extension and maintenance of public

sewer, water, storm drainage or other public utilities and facilities.

ZONING CODE. The part of the Master Plan, now or hereafter adopted, which includes an ordinance and Zone Map which divides the jurisdiction of the Commission into districts, with regulations and requirements and procedures for the establishment of land use controls.

(Prior Code, § 156.046) (Ord. 19-1964, passed - -)

§ 155.047 APPLICATION.

A subdivider desiring approval of a plat of a subdivision of any land lying within the jurisdiction of the Commission, shall submit a written application therefor to the Commission. The application shall be accompanied by the information, requirements and plans set forth in this subchapter, all in accordance with the requirements set forth in this chapter.

(Prior Code, § 156.047) (Ord. 19-1964, passed - -)

§ 155.048 PRELIMINARY PLAT FOR SUBDIVISION.

(A) The owner or subdivider shall provide a preliminary plan of the subdivision which shall show the manner in which the proposed subdivision is coordinated with the Comprehensive Master Development Plan and its provisions; specifically, with relation to the requirements of the major street or highway plan, school and recreational sites, shopping centers, community facilities, sanitation, water supply and drainage and other developments existing and proposed, in the vicinity.

(B) However, no land shall be subdivided for residential use unless adequate access to the land over improved streets or thoroughfares exists or will be provided by the subdivider, or if the land is considered by the Commission to be unsuitable for the use by reason of flooding or improper drainage, objectionable earth and rock formation, topography or any other feature harmful to the health and safety of possible residents and the community as a whole.

(C) The subdivider shall provide the following:

(1) Location map (which may be prepared by indicating the data by notations on available maps showing:

(a) Subdivision name and location;

(b) Any thoroughfares related to the subdivision;

(c) Existing elementary and high schools, parks and playgrounds, serving the area proposed to be subdivided and other community facilities; and

(d) Title, scale, north point and date.

(2) A preliminary plat showing:

(a) Proposed name of the subdivision;

(b) Names and addresses of the owner, owners or land surveyor;

(c) Streets and rights-of-way, on and adjoining the site of the proposed subdivision showing the names (which shall not duplicate other names of streets in the community, unless in the case of an extension of an existing street) and including roadway widths, approximate gradients, types and widths of pavement, curbs, sidewalks, crosswalks, tree planting and other pertinent data;

(d) Easements; locations, widths and purposes;

(e) Statement concerning the location and approximate size or capacity of utilities to be installed;

(f) Layout of lots, showing dimensions and numbers;

(g) Parcels of land proposed to be dedicated or reserved for schools, parks, playgrounds or other public, semipublic or community purposes;

(h) Contours at vertical intervals of two feet if the general slope of the site is less than 10% and at vertical intervals of five feet if the general slope is greater than 10%;

(i) Tract boundary lines showing dimensions, bearings, angles and references to section, township and range lines or corners;

(j) Building setback or front yard lines;

(k) Legend and notes;

(l) Other features or conditions which would affect the subdivision favorably or adversely; and

(m) Scale, north point and date. (See division (E) below.)

(3) A description of the protective covenants or private restrictions to be incorporated in the plat of the subdivision.

(D) The application shall be accompanied by a certified check or money order in the amount of $10 plus $1 for each lot in the proposed subdivision with a minimum total charge of $25 to cover the cost of checking and verifying the proposed plat,

and the amount shall be deposited in the General Fund. The preliminary plat of the subdivision shall be drawn to a scale of 50 feet to one inch or 100 feet to one inch, provided, that if the resulting drawing would be over 36 inches in shortest dimension, a scale as recommended by the Commission may be used.

(Prior Code, § 156.048) (Ord. 19-1964, passed - -)

§ 155.049 PRELIMINARY PLAT APPROVAL.

(A) After an application for approval of a plat of a subdivision, together with two copies of all maps and data has been filed, the Commission shall review the preliminary plat and accept the application and plat, or return them to the subdivider with suggestions for changes.

(B) No application will be considered at a meeting unless it has been filed with the Commission at least ten days before the date of the meeting.

(C) After the Commission has accepted an application and preliminary plat, it shall set a date for a hearing, notify the applicant in writing and notify by general publication or otherwise, any person or governmental unit having a probable interest in the proposed plat.

(D) The cost of publication of the notice of hearing shall be met by the applicant.

(E) Following the hearing on the preliminary plat, the Commission will notify the applicant in writing that it has approved the preliminary plat and is ready to receive the final plat, or will advise the applicant of any further changes in the preliminary plat which are required or should have consideration before approval will be given.

(Prior Code, § 156.049) (Ord. 19-1964, passed - -)

§ 155.050 FINAL PLAT SPECIFICATIONS.

The final plat shall meet the following specifications.

(A) The final plat may include all or only a part of the preliminary plat which has received approval.

(B) The original drawing of the final plat of the subdivision shall be drawn to a scale of 50 feet to one inch; provided, that if the resulting drawing would be over 36 inches in shortest dimension, a scale of 100 feet to one inch may be used.

(C) Three black or blue line prints shall be submitted with the original final plat, or, in order to conform to modern drafting and reproduction methods, three black line prints and a reproducible print shall be submitted.

(D) The following basic information shall be shown:

(1) Accurate boundary lines, with dimensions and angles, which provide a survey of the tract, closing with an error of not more than one foot in 5,000 feet;

(2) Accurate distances and directions to the nearest established street corners or official monuments. Reference corners shall be accurately described on the plan;

(3) Accurate locations of all existing and recorded streets intersecting the boundaries of the tract to be subdivided;

(4) Accurate metes and bounds description of the boundary of the tract;

(5) Source of title to the land to be subdivided as shown by the books of the County Recorder;

(6) Street names;

(7) Complete curve notes for all curves included in the plan;

(8) Street lines with accurate dimensions in feet and hundredths of feet, with angles to street, alley and lot lines;

(9) Lot numbers and dimensions;

(10) Accurate locations of easements for utilities and any limitations of easements;

(11) Accurate dimensions for any property to be dedicated or reserved for public, semipublic or community use;

(12) Building setback or front yard lines and dimensions;

(13) Location, type, material and size of all monuments and lot markers;

(14) Plans and specifications for the improvements required in this subchapter;

(15) Restrictions of all types which will run with the land and become covenants in the deed for lots;

(16) Name of the subdivision;

(17) Name and address of the owner and the subdivider;

(18) North point, scale and date;

(19) Certification by a registered land surveyor;

(20) Certification of dedication of streets and other public property;

(21) Certificate for approved by the Commission; and

(22) Certificate for approval by the Board of County Commissioners, if all or any part of the subdivision is located beyond the city.

(Prior Code, § 156.050) (Ord. 19-1964, passed - -)

§ 155.051 FINAL PLAT APPROVAL.

(A) When the final plat is submitted to the Commission, it shall be accompanied by a notice from the City Engineer, stating that there has been filed with and approved by the City Engineer and the Board of Public Works, one of the following:

(1) A certificate by the subdivider that all improvements and installations for the subdivision required for its approval have been made or installed in accordance with specifications, and that a three-year maintenance bond has been provided for any improvements to be made within the streets, as is executed to the Board of Public Works for any portion of the final plat which lies within the corporate limits of the city, and that a three-year maintenance bond has been provided for any improvements to be made within the streets, as is executed to the County Board of County Commissioners for any portion of the final plat which lies within the jurisdiction of the Commission, but beyond the corporate limits of the city; or

(2) A bond which shall:

(a) Run to the Board of Works;

(b) Be in an amount determined by the Commission to be sufficient in amount to complete the improvements and installations in compliance with this chapter;

(c) Be with surety satisfactory to the Commission;

(d) Specify the time for the completion of the improvements and installations; and

(e) Specify that on completion, but prior to acceptance by the Board of Public Works of any improvements to be made within the streets, for any portion of the final plat which lies within the corporate limits of the city, a three-year maintenance bond covering street improvements in an amount determined by the Board of Public Works to be sufficient in amount, which shall run to the Board of Public Works, will be provided by the subdivider of street improvements to be effective as of the date of acceptance by the Board of Public Works of street improvements, or for any portion of the final plat which lies within the jurisdiction of the Commission, but beyond the corporate limits of the city, a three-year maintenance bond covering the street improvements, in an amount determined by the Board of County Commissioners to be in an amount sufficient in amount, which shall run to the County Board of County Commissioners, will be provided by the subdivider of street improvements to be effective as of the date of acceptance by the Board of County Commissioners of the street improvements. The subdivider shall not be held responsible for maintenance of any street resulting beyond the control of the subdivider.

(B) (1) Within a reasonable time after application for approval of the final plat, the Commission shall approve or disapprove it.

(2) If the Commission approves, it shall affix the Commission’s seal of the plat, together with the certifying signature of its President and Secretary.

(3) If it disapproves, it shall set forth the reasons for the disapproval in its own records and provide the applicant with a copy.

(Prior Code, § 156.051) (Ord. 19-1964, passed - -)

§ 155.052 REPLAT APPROVAL.

(A) A replat is a plat which has originally been approved by the city which the developer resubmits to the city to make further changes.

(B) After review of the revised plat, along with any other information that the Plan Administrator determines as necessary, the Plan Administrator shall determine if the replat is so significant that it needs to go through the full process set forth in §§ 155.049 through 155.051 or if the changes are more appropriately evaluated through the process set forth in the instant section:

(1) If the Plan Administrator determines that the replat needs to go through the full process then the Applicant shall go through the process set forth in §§ 155.049 through 155.051; or

(2) If the Plan Administrator determines that the changes are such that a full plat process is not necessary then the applicant can proceed with the replat process set forth below.

(C) If a petition for replat is determined to be necessary, the applicant shall comply with the following.

(1) The applicant will file with the Plan Administrator two copies of all maps, data, and any additional information deemed necessary.

(2) The Plan Administrator will review the replat and confer with all relevant city departments in order to determine if the

replat is sufficient as presented.

(3) If it is determined that changes are necessary, the replat shall be returned to the developer for changes to be made.

(4) Once the replat is in an acceptable form to the city it shall be set for public hearing:

(a) Notice of hearing shall be made by the city; and

(b) Applicant shall bear the cost of the notice of public hearing.

(5) If there are individuals who own parcels in the property located in the subdivision which is the subject of the replat, other than the applicant, then the applicant shall be responsible for giving notice to said individuals or entities via certified mail, return receipt requested at least 10 days prior to the public hearing.

(6) Final approval of the replat shall not be made until after notice and public hearing on the matter.

(7) Once approved the final replat shall be returned to applicant with the appropriate signatures and approvals.

(8) If the replat is denied then the Plan Commission shall set forth the reasons for the denial.

(D) All replats must comply with the provisions of §155.050.

(F) Final approval of replats may be subject to any of the provisions set forth in §155.051 as determined by the Plan Commission.

(Ord. 6-2023, passed 5-10-2023)

STANDARDS OF DESIGN AND IMPROVEMENT

§ 155.065 COMPLIANCE OF FINAL PLAT.

The final plat of the subdivision shall conform to the principles and standards of design in this subchapter.

(Prior Code, § 156.065) (Ord. 19-1964, passed - -)

§ 155.066 COMPLIANCE TO COMPREHENSIVE PLAN.

The subchapter plan shall conform to the principles and standards which are generally exhibited in the Comprehensive Master Development Plan.

(Prior Code, § 156.066) (Ord. 19-1964, passed - -)

§ 155.067 GENERAL PRINCIPLES.

(A) The street and alley layout shall provide access to all lots and parcels of land within the subdivision, and where streets cross other streets, jogs shall not be created.

(B) Proposed streets shall be adjusted to the contour of the land so as to produce usable lots and streets of reasonable gradient.

(C) Certain proposed streets, where appropriate, shall be extended to the boundary line of the tract to be subdivided so as to provide for normal circulation of traffic within the vicinity.

(D) Wherever there exists a dedicated or platted portion of a street or alley adjacent to the proposed subdivision, the remainder of the street or alley to the prescribed width shall be platted within the proposed subdivision.

(E) Widths of arterial streets and feed streets shall conform to the widths specified in the thoroughfare plan.

(F) The minimum right-of-way of residential streets, marginal access streets or culs-de-sac shall terminate in a circular right-of-way with a minimum diameter of 100 feet, or other arrangement for the turning of all vehicles conveniently within the right-of-way and acceptable to the Commission.

(G) Alleys shall be discouraged in residential districts but should be included in commercial and industrial areas where needed for loading and unloading or access purposes and, where platted, shall be at least 20 feet in width.

(H) The centerline of streets should intersect as nearly at right angles as possible.

(I) At intersections of streets and alleys, property line corners shall be rounded by arcs of at least 16 and one-half feet radii or by chords of like arcs.

(J) At intersections of streets the property line corners shall be rounded by arcs with radii of not less than 20 feet, or by chords of like arcs.

(K) If the smaller angle of intersection of two streets is less than 60 degrees, the radius of the arc at the intersection of property lines shall be increased as deemed advisable by the Commission.

(L) Intersections of more than two streets at one point shall be avoided.

(M) Where parkways or special types of streets are involved, the Commission may apply special standards to be

followed in their design.

(N) 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, provision shall be made for a marginal access street, or a parallel street at a distance acceptable for the appropriate use of the land between the highway or railroad and like streets.

(O) Horizontal visibility on curved streets and vertical visibility on all streets must be maintained along the centerlines as follows:

(1) Arterial streets: 500 feet;

(2) Feeder streets and parkways: 300 feet; and

(3) Residential streets: 150 feet.

(P) Curvature measured along the centerline shall have a minimum radius as follows:

(1) Arterial streets: 500 feet;

(2) Feeder streets and parkways: 300 feet; and

(3) Residential streets: 150 feet.

(Q) Between reversed curves on arterial streets there shall be a tangent of not less than 100 feet and on a feeder and residential streets the tangent shall be not less than 40 feet.

(R) Maximum grades for streets shall be as follows:

(1) Arterial streets: Not greater than 6%; and

(2) Feeder and residential streets and alleys: Not greater than 8%.

(S) The minimum grade of any street gutter shall not be less than 0.4%.

(Prior Code, § 156.067) (Ord. 19-1964, passed - -)

§ 155.068 BLOCKS.

(A) Blocks should not exceed 1,500 feet in length.

(B) Blocks shall be of sufficient width to permit two tiers of lots of appropriate depth, except where an interior street parallels a limited access highway or an arterial street or a railroad right-of-way.

(Prior Code, § 156.068) (Ord. 19-1964, passed - -)

§ 155.069 LOTS.

(A) All lots shall abut on a street or place.

(B) 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 should be avoided.

(C) Double frontage lots should not be platted, except that where desired along arterial streets, lots may face on an interior street and back on thoroughfares. In that event, a planting strip or a screen, at least 20 feet in width shall be provided along the back of the lot.

(D) Widths and areas of lots shall be not less than provided in the Zoning Code.

(E) Wherever possible, unit shopping centers, based on sound development standards, should be designed in contrast to the platting of lots for individual commercial use.

(F) Corner residential lots shall be wider than normal in order to permit appropriate setbacks from both streets.

(Prior Code, § 156.069) (Ord. 19-1964, passed - -)

§ 155.070 EASEMENTS.

(A) Where alleys are not provided, easements for utilities shall be provided. Easements shall have minimum widths of ten feet, and where located along lot lines, one-half of the width shall be taken from each lot.

(B) Before determining the location of easements the plan shall be discussed with the local public utility companies to assure their proper placing for the installation of services.

(Prior Code, § 156.070) (Ord. 19-1964, passed - -)

§ 155.071 BUILDING SETBACK LINES.

Building setback lines shall be as provided in the Zoning Code or as provided by the Commission.

(Prior Code, § 156.071) (Ord. 19-1964, passed - -)

§ 155.072 PUBLIC OPEN SPACES.

(A) Where sites for parks, schools, playgrounds or other public uses are located within the subdivision area as shown on the Comprehensive Master Development Plan, the Commission may request their dedication for some purposes, or their reservation for a period of one year following the date of the approval of the final plat.

(B) In the event a governmental agency concerned passes a resolution expressing its intent to acquire the land so reserved, the reservation period shall be extended for an additional six months.

(Prior Code, § 156.072) (Ord. 19-1964, passed - -)

§ 155.073 CONFORMANCE AND INSTALLATION.

The final plat of the subdivision shall conform to the standards of improvements in this subchapter, which shall be installed under the supervision of an inspector whose qualifications meet the approval of the City Engineer, and the cost of inspection shall be borne by the subdivider.

(Prior Code, § 156.073) (Ord. 19-1964, passed - -)

§ 155.074 MONUMENTS AND MARKERS.

(A) Monuments and markers shall be placed so that the center of the pipe or marked point shall coincide exactly with the intersection of lines to be marked and shall be set so that the top of the monument or marker is level with the finished grade.

(B) Monuments shall be set:

(1) At the intersection of all lines forming angles in the boundary of the subdivision; and/or

(2) At the intersection of street property lines.

(C) Markers shall be set:

(1) At the beginning and ending of all curves along street property lines;

(2) At all points where lot lines intersect curves, either front or rear;

(3) At all angles in property lines of lots; and/or

(4) At all other lots corners not established by a monument.

(D) (1) Monuments shall be of stone, precast concrete or concrete poured in place with minimum dimensions of four inches by 30 inches, set vertically in place.

(2) They shall be marked on top with an iron or copper dowel set flush with the top of the monument, or deeply scored on top with a cross.

(3) Markers shall consist of iron pipes or steel bars at least 30 inches long, and not less than five-eighths-inch in diameter.

(Prior Code, § 156.074) (Ord. 19-1964, passed - -)

§ 155.075 STREETS.

(A) Streets (and alleys, where provided), shall be competed to grades shown on plans, profiles and cross-sections, provided by the subdivider, and prepared by a registered professional engineer and approved by the Commission.

(B) (1) The streets shall be graded, surfaced and improved to the dimensions required by the cross-section and the work shall be performed in the manner prescribed in the latest issue of *Standard Specifications for Road and Bridge Construction* of the State Highway Commission. Streets shall be surfaced to the following minimum widths.

(a) The width of standard pavements (which shall include curbing) required is 31 feet.

(b) Alleys shall be surfaced to a minimum width of 16 feet. Cul-de-sac turn-arounds shall be paved to within five feet of the right-of-way.

(2) In a subdivision proposed to contain lots having a minimum area of less than 20,000 square feet, or in a subdivision proposed to have streets which are extensions of existing paved streets, the streets shall be surfaced with Portland cement concrete or a flexible pavement and constructed in accordance with design characteristics at least equal to those given below.

(3) In a subdivision proposed to contain lots having a minimum area of 20,000 square feet, the streets shall be surfaced with a minimum of nine inches of compacted aggregate laid on prepared subgrade constructed in accordance with “Section C-9 Compacted Aggregate Base” in the latest issue of *Standard Specifications for Road and Bridge Construction* of the State Highway Commission.

Design Characteristics of Street Pavement

Kind of Pavement	Type of Street		
	Arterial	Feeder	Residential and Alley
Design Characteristics of Street Pavement			
Kind of Pavement	Type of Street		
	Arterial	Feeder	Residential and Alley
Concrete			
Balanced design thickness*	9 x 6 x 9 inches	8 x 5-1/2 x 8 inches	7-1/2 x 5 x 7-1/2 inches
Uniform design thickness	70-1/4 inches	6-1/2 inches	6 inches
Flexible**			
Asphaltic surface course	3 inches	2 inches	1 inch
Base: Bituminous coated aggregate	4 inches	3 inches	3 inches
Sub-base:			
Compacted aggregate	7 inches	6 inches	6 inches
Total thickness	14 inches	11 inches	10 inches
*Intersections to be of uniform design using edge thickness.			
**For intersections and parking strips on residential streets, use feeder street design characteristics.			

(C) Prior to the construction of street or alley surfaces and pavements, adequate drainage facilities shall be installed by the subdivider, according to plans furnished by the subdivider, prepared by a registered professional engineer or a registered land surveyor and approved by the Commission.

(D) A storm drainage analysis based on a five-year, one-hour rainfall shall be used as the basis for the drainage system. A copy of the analysis is to be submitted to the Commission with the drainage facility plans. Pipe used for drainage shall be of coated corrugated metal, concrete or vitrified clay of an approved design and of size and strength to meet the requirements of the specific conditions which may be encountered.

(E) Minimum diameters of pipe to be used shall be as follows:

(1) Roadway cross-drains: 12 inches;

(2) Entrance culverts: 12 inches; and

(3) Perforated under-drains: Eight inches.

(F) On completion of the street improvements, a minimum of two sets of as-built plans and profiles shall be filed with the Commission.

(Prior Code, § 156.075) (Ord. 19-1964, passed - -)

§ 155.076 SEWERS.

(A) The subdivider shall provide the subdivision with sanitary sewage facilities in accordance with one of the three following procedures.

(1) *Public collection system.* In all cases where it is possible the developer shall construct a sanitary sewer system connected to a municipal sewer. The plans for the system shall be approved by the affected municipality and the Commission and shall be designed and constructed in accordance with the municipal specifications.

(2) *Local treatment system.* Where it is not practical to connect the subdivision sanitary sewer system to the municipal sewer, the subdivider shall construct a local treatment system consisting of the necessary house laterals, service mains and interceptors required to conduct the subdivision's sewage to a single treatment facility. All aspects of a system, including the treatment facility, shall be designed and constructed by the developer in accordance with the requirements of the State Board of Health and the County Health Officer.

(3) *Private disposal system.* Where divisions (A)(1) and (A)(2) above are not practical, the Commission may permit the developer to install on each lot an individual sewage disposal system consisting of a septic tank and the absorption field or other approved disposal system. These systems shall be designed and constructed by the developer in accordance with the regulations of the State Board of Health and the County Health Officer. In no case, however, shall private disposal systems be permitted where rock or impervious clay conditions exist which would prevent percolation of effluent.

(B) The plans for the installation of the sanitary sewage facilities shall be provided by the subdivider, prepared by a registered professional engineer and approved by the State Board of Health, the State Stream Pollution Control Board, the County Health Officer and the Board of Public Works. On the completion of sanitary sewer installations, two sets of the as-built plans for the system shall be filed with the Commission.

(C) For the purpose of this section and in §155.077, the phrase ***THE SUBDIVIDER SHALL PROVIDE*** shall mean that the subdivider shall install the facility referred to, or whenever a private sewage disposal system or an individual water supply is to be provided, that the subdivider shall require, as a condition of the sale of each lot or parcel in the subdivision, that the facilities referred to in these sections shall be installed by the developer of the lots in accordance with these regulations.

(Prior Code, § 156.076) (Ord. 19-1964, passed - -)

§ 155.077 WATER.

(A) The subdivider shall provide the subdivision with a complete water main supply system which shall be connected to a municipal or community water utility system, except, that when water supply is not available, the subdivider shall provide an individual water supply on each lot in the subdivision in accordance with requirements of the State Board of Health and the County Health Officer.

(B) The plans for the installation of a water main supply system shall be provided by the subdivider and approved by the affected utility, and the State Board of Health and the County Health Officer and the Board of Works. The plans for the water main system shall include fire hydrant locations. Construction of water mains and house services to be placed within the improved portion of the street right-of-way shall be completed prior to the placement of the surface improvements. On the completion of the water supply installation, two sets of the plans for the system as-built shall be filed with the Commission.

(Prior Code, § 156.077) (Ord. 19-1964, passed - -)

§ 155.078 PUBLIC UTILITY IMPROVEMENTS.

(A) Improvements required in this subdivision to be installed by the subdivider, which are of a public utility nature, specifically §§ 155.075 through 155.077, may provide benefits to other properties in the vicinity of land to be subdivided.

(B) On the installation of improvements which cross or adjoin other properties and can be used by properties, the subdivider and the city may by contract agree that on the connection or use of the installation made by the subdivider or by others, within a period of ten years following their installations, the new user shall pay to the city a fee in an amount agreed on by the subdivider and the city, the amount of the fee to be credited to and paid to the subdivider.

(Prior Code, § 156.078) (Ord. 19-1964, passed - -)

§ 155.079 CURB AND GUTTER.

(A) In a subdivision proposed to contain lots having a minimum area of less than 20,000 square feet the Commission shall require curb and gutter to be installed on each side of the street surface. The plans for the installation of the curb and gutter shall be approved by the Commission.

(B) The curb and gutter shall be of one of the construction types shown in division (B)(3) below and shall be constructed according to the following specifications.

(1) The base for the curb and gutter shall be well-compacted on the existing base or grade.

(2) The minimum specifications shall be as shown for the three types of cross-sections in division (B)(3) below.

(3) All concrete used in the curb and gutter shall meet the State Highway Commission specific at ions.

(Prior Code, § 156.079) (Ord. 19-1964, passed - -)

§ 155.080 SIDEWALKS.

(A) T he C ommissi on shall not re quire si dewalks in a su bdivisio n propose d to co ntain lo ts ha ving a m inimum ar ea of 2 0,000 sq uare feet or more, b ut may re quire the subdivider to install sidewalks in a subdivision proposed to contain lots having a minimum of less than 20,000 square feet for the following conditions:

(1) On each side of a street classified as arterial in the thoroughfare plan;

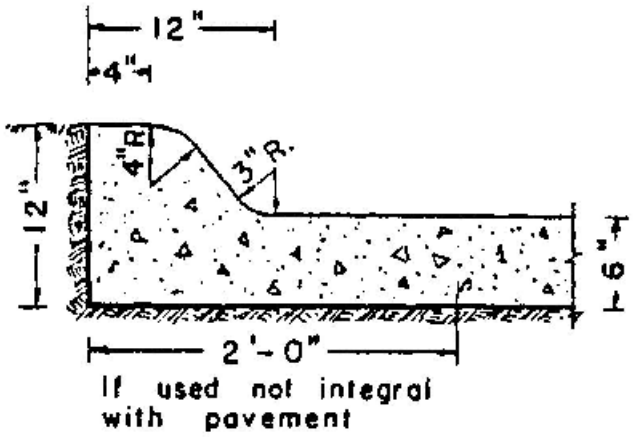
(2) On streets which are proposed to be extensions of streets already having sidewalks on either one or both sides;

(3) On streets in the vicinity of schools or other public buildings which, in the Commission’s judgment, sidewalks would be necessary for the safety, welfare and convenience of pedestrians; and

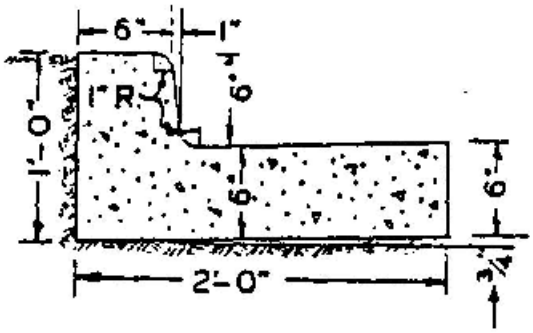
(4) On all streets within the city.

(B) If sidewalks are provided, they shall be constructed of Portland cement concrete, at least four inches thick and four feet wide, and the edge of walks adjacent to the property line of the street shall be placed at least one foot from the property line.

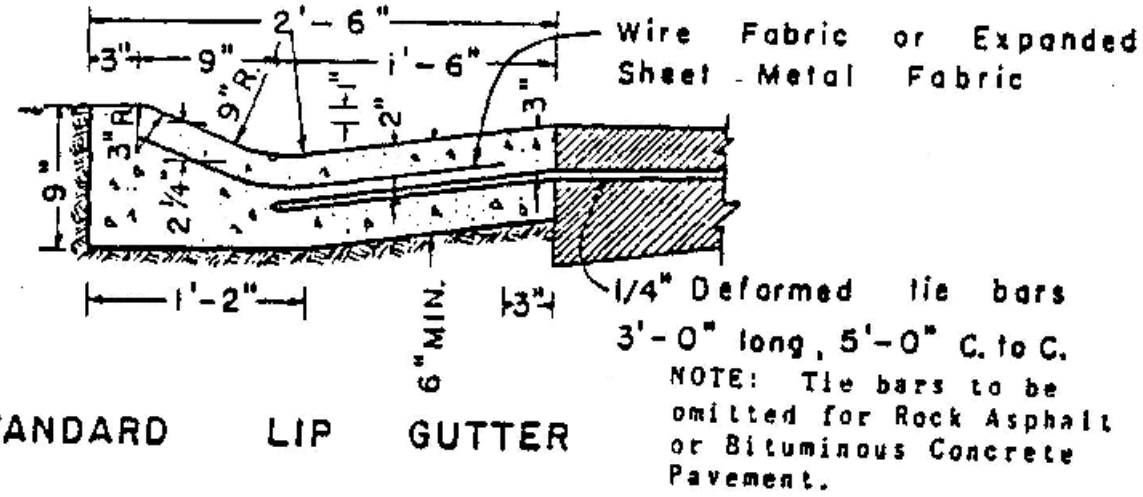
(C) If sidewalks are not provided, the street grade shall be completed so that additional grading would not be necessary for any future provisions of sidewalks.



INTEGRAL OR ROLLED CURB GUTTER



COMBINED CURB & GUTTER



STANDARD LIP GUTTER

(Prior Code, § 156.080) (Ord. 19-1964, passed - -)

§ 155.081 SIGNS.

The subdivider shall provide the subdivision with street signs acceptable to the Commission at the intersection of all streets.

(Prior Code, § 156.081) (Ord. 19-1964, passed - -)

§ 155.082 STREET LIGHTS AND FIRE HYDRANTS.

The subdivider shall provide the subdivision with street lights, and when a water main supply is utilized, with fire hydrants, the quantity and location of which will be determined by the Commission.

(Prior Code, § 156.082) (Ord. 19-1964, passed - -)

PLAT CERTIFICATES AND DEED OF DEDICATION

§ 155.095 COMMISSION CERTIFICATES.

The following form shall be used in final plats:

Under authority provided by I.C. 36-7-4-700, as amended, and an ordinance adopted by the Common Council of the City of Brazil, Indiana, this plat was given approval by the City of Brazil as follows:
Adopted by the Brazil City Plan Commission at a meeting held _____, 20____.
Brazil City Plan Commission

_____
President
(Seal)

_____
Secretary

(Prior Code, § 156.095) (Ord. 19-1964, passed - -)

§ 155.096 COUNTY COMMISSIONER'S CERTIFICATE.

The following certificate shall also be used if the plat lies wholly or partly, outside the city:

Under authority provided by I.C. 6-1.1-24-6.1, this plat was given approval by the Board of County Commissioners of Clay County, Indiana, at a meeting held on the _____ day of _____ , ___ 20 __ .

_____
_____
(Seal)

_____

(Prior Code, § 156.096) (Ord. 19-1964, passed - -)

§ 155.097 REGISTERED LAND SURVEYOR'S CERTIFICATE.

(A) Registered land surveyor's certificate shall also be provided for any work on a plat prepared by a registered professional engineer.

(B) The following forms shall be used in final plats:

Registered land surveyor's certificate shall also be provided for any work on a plat prepared by a registered professional engineer. The following forms shall be used in final plats:
I, _____ , hereby certify that I am a registered land surveyor, licensed in compliance with the laws of the State of Indiana;
That this plat correctly represents a survey completed by me on _____; that all the monuments shown thereon actually exist; and that all other requirements specified herein, done by me have been met.
(Seal) _____
Signature

(Prior Code, § 156.097) (Ord. 19-1964, passed - -)

§ 155.098 DEED OF DEDICATION.

(A) Each final plat submitted to the Commission for approval shall carry a deed of dedication in substantially the following form:

We, the undersigned _____ , owners of the real estate shown and described herein, do hereby certify that we have laid off, platted and subdivided, and do hereby lay off, plat and subdivide, said real estate in accordance with the within plat.
This subdivision shall be known and designated as _____, an addition to _____. All streets and alleys shown and not heretofore dedicated, are hereby dedicated to the public.
Front and side yard building setback lines are hereby established as shown on this plat, between which lines and the property lines of the street, there shall be erected or maintained no building or structure.
There are strips of ground (__) feet in width as shown on this plat and marked "easement," reserved for the use of public utilities for the installation of water and sewer mains, poles, ducts, lines and wires, subject at all times to the proper authorities and to the easement herein reserved. No permanent or other structures are to be erected or maintained upon said strips of land, but owners of lots in this subdivision shall take their titles subject to the rights of the public utilities.

(B) Additional dedications and protective covenants, or private restrictions would be inserted here on the subdivider's initiative or the recommendations of the Commission. Important provisions are those specifying the use to be made of the property and, in the case of the residential use, the minimum habitable floor area.

(Prior Code, § 156.098) (Ord. 19-1964, passed - -)