

SUBDIVISION REGULATIONS  
OF  
DANIELSVILLE, GEORGIA

July 10, 2006

SUBDIVISION REGULATIONS OF DANIELSVILLE, GEORGIA

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SUBDIVISION REGULATIONS OF DANIELSVILLE, GEORGIA

ARTICLE 1. GENERAL PROVISIONS

1.1 SHORT TITLE

This ordinance shall be known and be cited as the "Subdivision Regulations of the City of Danielsville, Georgia," or "Danielsville Subdivision Regulations," and may be referred to herein as "Regulations"

1.2 PURPOSE AND INTENT

These regulations are enacted for the following purposes:

1. To encourage economically sound and stable development.
2. To assure the provision of required streets, utilities, and other facilities and services to Land developments
3. To assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in land developments.
4. To assure the provision of needed public open spaces and building sites in land developments through the dedication or reservation of land for recreational, educational, and other public purposes.
5. To insure that all development and construction plans will implement proper soil erosion controls.
6. To promote a safe and healthy environment
7. To assure adequate identification of property on the public records.
8. To encourage, in general, the wise development of the city in accordance with adopted land use policies.

1.3 AUTHORITY AND JURISDICTION

1. These regulations are adopted in accordance with, and under the power of, the 1983 Constitution of the State of Georgia (Article IX, Section II, Paragraph I and IV).
2. By the same authority, the Mayor and city council of Danielsville, Georgia exercise the power and authority to review and approve or disapprove plats of land subdivided within the city limits prior to the recording of said plats in the offices of the Clerk of the Superior Court of Madison County, Georgia, within the incorporated section of Danielsville, Georgia.
3. By the same authority, the Mayor and Council does hereby possess and exercise the power and authority to review and approve or disapprove the development of a platted subdivision of land within the city limits already recorded in the offices of the Clerk of Superior Court of Madison County, if said plat was recorded after July 10, 2006, without prior approval of the Mayor and Council and when more than fifty (50%) percent of the platted lots have not been sold to individual owners for the purpose of

providing residence for the owner; provided that any such review, approval, or disapproval shall concern only the lots yet to be sold to individual owners.

4. Subdivisions which are entirely developed or which otherwise received approval prior to adoption of these Regulations shall be permitted to proceed in accordance with the design standards in effect at time of approval of the subdivision.

1.4 INTERPRETATIONS, CONFLICTS, AND SEVERABILITY

1. Interpretation: In their interpretation and application, the provisions of these regulations shall be held to the minimum requirements for the protection and promotion of the public health, safety, and welfare.

2. Conflict with public and private provisions:

A. Public Provisions: These regulations are not intended to interfere with, abrogate, or annul other ordinances, rules, or regulations, statutes, or other provisions of law. Where any provision of these regulations imposes restrictions different from those imposed by any other ordinance, rule, regulation, or provision of law, the more restrictive shall control.

B. These regulations are not intended to abrogate any easement, covenant, or any other private agreement or restriction, provided that where these regulations are more restrictive or imposed higher standards than a private restriction, the provisions of these regulations shall govern.

3. SEPARABILITY OF PROVISIONS: Should any term, part, provision, section, sub-section, paragraph, or phrases of this ordinance to be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to invalidate the remaining terms, parts, provisions, sections, subsections, paragraphs, sentences, or phrases of this ordinance.

4. SEPARABILITY: If any portion of this Ordinance is found unconstitutional, such invalidity shall not effect any other portion of this Ordinance.

A. SAVING PROVISIONS : These regulations shall not be construed as abating any subdivision development now pending under, or by virtue of, prior existing regulations, or as discontinuing, abating, modifying, altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm or corporation, resulting from such development.

B. Repeal of Existing regulations: All ordinances or parts of ordinances in conflict with this ordinance, and not preserved hereby, are hereby repealed.

C. Amendments: For the purpose of protecting and providing for the public health, safety, and welfare, the Danielsville Mayor and Council may from time to time amend the provisions of these subdivision regulations. Before enacting any amendment to this Ordinance, the Mayor and Council shall hold a public hearing within thirty (30) days of the date of the submission of a request for an amendment. A public

notice shall be given at least fifteen (15) days prior to the public hearing in the County Legal organ.

D. Resubdivison of Land: For any change in a map of an approved or recorded subdivision plat, including variation of, part of, all of any plat, or area reserved thereon for public use, or any lot line, or if it affects any plat legally recorded prior to the adoption of these regulations, such parcel shall be reviewed and approved, or disapproved by the City Council.

E. Variances

(1) General: Where the City Council finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations, or where the purpose of these regulations may be served to a greater extent by an alternative proposal, it may approve a variance to the subdivision regulations; however, such a variance shall not nullify the intent and purpose of these regulations. The City Council shall not approve a variance unless it shall find that the following conditions are met:

(a) The granting of the variance shall not be detrimental to the public safety, health, or injurious to adjacent property.

(b) The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not generally applicable to adjacent property.

(c) The variance shall not in any manner vary the provisions of the Zoning Ordinance of the City of Danielsville, Georgia, its Comprehensive Plan, or Official Zoning Map, shall any of these exist.

(2) Conditions: In approving variances, the City Council may require such conditions as in its judgement, will secure substantially the objectives of the standards or requirements of these regulations.

(3) Procedures: A petition for any variance shall be submitted in writing by the petitioner at the time when the preliminary plat is submitted for consideration of the City Council. The petition shall state fully the grounds for the request. The granting of any variance shall be made concurrent with the approval of the preliminary plat. The City Council must first approve the submission of a variance petition if such variance is sought after the preliminary plat has been submitted for approval.

1.5 APPEALS

Appeals from decisions rendered by the City Council shall be filed with the Madison County Superior Court, and written notice provided to the Danielsville Mayor and Council or their designated authority, within thirty (30) days of the date of the City Council's decision or the right to appeal is lost.

1.6 ENFORCEMENT, VIOLATIONS, AND PENALTIES

1. General

A. It shall be the duty of the Director of Public Works to enforce these regulations, and to bring to the attention of the City Council any violations thereof.

B. No owner, or agent of the owner, of any parcel of land located in a proposed subdivision or any existing subdivision meeting the requirements of Article I, Section I.3 (3) shall transfer or sell any such parcel before a final plat of such subdivision has been approved by the City Council in accordance with this Ordinance, and filed with the Clerk of Superior Court of Madison County.

C. No building permits shall be issued for the construction of any building or structure located on a lot or site subdivided or sold in violation of the provision of these regulations.

2. Penalties: Any person who violates any of the provisions of this Ordinance is subject to trial and possible convictions, and shall upon conviction thereof in Danielsville municipal court be punished by a fine not exceeding five hundred (\$500.00) dollars or imprisonment for a term not exceed six (6) months or both provided further that each day a violation continues shall constitute a separate offense.

3. Civil Enforcement: Appropriate actions and proceedings may be taken by law or in equity to prevent any violation of these regulations; to prevent unlawful construction; to recover damages; to restrain, correct, or abate a violation; to prevent illegal occupancy of any building, structure, or premises; and these remedies shall be addition to the penalties described above.

## ARTICLE II. DEFINITIONS

For the purpose of these Regulations, except as specifically defined herein, all words used have their customary dictionary definitions.

### 2.1 DEFINITIONS PERTAINING TO GRAMMATICAL USAGE

1. Words used in the present tense include the future tense.
2. The word "shall" is always mandatory.
3. The word "may" is always permissive
4. The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
5. The word "temporary" shall mean a period of time not exceeding one hundred and eighty (180) days.

### 2.2 DEFINITIONS OF SPECIFIC TERMS

1. Alley: A public or private right-of-way primarily designed to serve as secondary access to the side or rear of these properties whose principle frontage is on some other street.
2. Applicant: The owner of land proposed to be subdivided or his representative. Consent shall be required from the legal owner of the premises for all representatives.
3. Block: A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, shore lines of waterways,

boundary lines of municipalities.

4. Building: A structure having a roof supported by columns or walls for the housing or shelter of persons, animals or goods. Where roofed structures are separated from each other by party walls having no opening for passage, each portion so separated shall be considered a separate building.

5. Building Height: the vertical distance measured from the average elevation of the proposed finished grade of the lot to the highest point of the coping of a flat roof, to the average height level between eaves and ridge of gable, hip, and gambrel roofs, and to the deck line in the case of mansard roof.

6. Building Inspector: The authorized building Inspector for Danielsville, Georgia.

7. Building Line: The line established by law past which a building shall not extend as determined by front, side, and rear yards herein.

8. Building, Principle: A building in which is conducted the predominant use of the lot on which it is situated.

9. Central Water System: A private water system formed by a developer to serve a new subdivision in an outlying area. It includes water treatment and distribution facilities.

10. Central Sewerage System: A private sewer system including collection and treatment facilities established by the developer to serve a new subdivision in an outlying area.

11. Common Area: That portion of a site and building which are collectively owned and controlled.

12. Condominium: A single unit in a multi-unit structure whose right to legal title is based either in fee simple, estate for years, or in leasehold estate and where joint or common ownership is vested in all other fixtures, structures, land and its appurtenances.

13. Construction Plans: The engineering drawing submitted after approval of preliminary plat showing the specific location and design of the improvements to be installed in the subdivision in accordance with the requirements of the design standards of these regulations.

14. City Council: The City Council of Danielsville, Georgia.

15. County: Madison County

16. City Engineer: A professional land surveyor or engineer appointed by the City Council.

17. City Planner: A professional community developer or planner appointed by the City Council.

18. Crosswalk (Pedestrian Walkway): A right-of-way within a block dedicated to public use ten (10) feet or more in width, intended primarily for pedestrians and from which motor vehicles are excluded.

19. Cul-de-Sac: A street having one end open to traffic, the other



end permanently terminated by a vehicular turn-around.

20. Developer: The owner of land proposed to be subdivided or his representative. Consent shall be required from the legal owner of the premises in order to undertake subdivision development.

21. Double-Frontage Lot: A lot having frontage on two (2) streets as distinguished from a corner lot.

22. Drainage Easement: An area set aside for the purpose of transporting storm water. Maintenance of these easements are the responsibility of the private property owner unless dedicated and accepted by the City for maintenance.

23. Driveway: An access way connect in one or more dwelling units and their parking spaces with a street.

24. Easement: A grant by a property owner of the use of land for a specific purpose or purposes by the general public, a corporation, or a certain person or persons.

25. Engineer: A registered, professional engineer licensed by the State of Georgia.

26. Grading: Altering surfaces to specific elevations, dimensions, or slopes; this includes *stripping*, cutting, filling, stockpiling and shaping or any combination thereof and shall include the land in its cut or filled condition.

27. . Improvements guarantee: A guarantee to the City *in* the form of an irrevocable letter of credit from a bank or a certified check to insure completion of required subdivisions improvements.

28. Health Department: The Health Department of Madison County, Georgia.

29. Individual Sewage Disposal System: A septic tank, and drainage field sewage disposal system, or any other sewage treatment device or system approved by the Health Department of Madison County, Georgia.

30. Land Use Plan: A development plan or any part thereof, adopted by the City Council that indicates the general location for the various physical classes of public works, places and structures, and depicts the general planned physical development and land use in Danielsville, Georgia.

31. Lot: A parcel of land occupied or intended for occupancy by one principle building or use, including accessory buildings or uses incidental to it.

32. Lot Area: The service area inside the lot lines. In determining the area and dimensions of a lot, no portion of the right-of-way of a street or crosswalk may be included.

33. Lot, Corner: A lot abutting on two (2) or more streets at their intersection.

34. Lot Coverage: The service area occupied by all buildings within a lot.

35. Lot Depth: The average horizontal distance between the front and rear lot lines.

36. Lot Improvements: Any building, structure, work of art, or other object, or alteration of the land, constituting a physical betterment of real property.

37. . Lot, Interior: A lot other than a corner lot or double frontage lot.

38. Lot Width: The distance between one side lot line and the other side lot line measured at the minimum building setback line. The mean width is measured at a right angle to the lot depth.

39. Major Subdivisions: A subdivision which is not classified as a minor subdivision, including but not limited to four (4) or more lots; or of any size but requiring any new street, or the extension of City utilities or facilities, or the creation of any public improvements.

40. Minor Subdivision: A subdivision which comprises not more than three (3) lots provided that:

A. Each lot in the proposed subdivision abuts an existing street for a minimum distance of ninety (90) feet and the depth shall not exceed three (3) times the width.

B. The proposed subdivision shall be directly accessible to existing required improvements that shall be necessary for connection to existing utilities and other existing facilities.

C. The combination or recombination of portions of previously platted lots is permitted where the total number of lots is not increased and the resultant lots comply with the standards of the Subdivision Regulations and all other ordinances and resolutions of Danielsville, Georgia.

41. Non-residential Subdivision: A subdivision whose intended use is other than residential.

42. Open Spaces: Any portion of an individual lot within the subdivision that is designed or for the general public, not including streets and off-street parking areas. Open spaces shall be substantially free of structures, but may contain such improvements as shown on the plans as finally approved. Unless dedicated and accepted by the City maintenance shall be the responsibility of all property owners within the subdivision.

43. Out Lot: A lot which is either unbuildable or not intended for development and is allocated to be used for esthetic purposes, safety, or common public use.

44. Owner: Any person who has equitable title to real property. In the case where equitable title is vested in more than one person, authorization by all parties claiming title to the property in question shall be provided to the governing authority prior to any review and application of the provisions of these Regulations. Owners do not include holders of security deeds or mortgages on the property for the purposes of these Regulations.

45. Parcel: A plot or plots of land which are shown with a separate identification number on the Official Tax Maps of Madison County, Georgia, on file with the Madison County Tax Assessors Office.

46. City Council: The City Council of Danielsville, Georgia.
47. Plat: A map, plan, or representation that depicts the subdivision of a parcel of land indicating the location and boundaries of the property.
48. Plat, Final: The final plan of the subdivision and any accompanying documents as required by these Regulations that, once approved by the City Council, will constitute the plat of record that will be the basis for the authorization of building permits.
49. Plat, Preliminary: The preliminary drawing or drawings, described in these Regulations, indicating the proposed layout of the subdivision that is to be submitted to the City Council for approval.
50. Public Improvements: Any drainage, ditch, parkway, sidewalk, pedestrian way, tree, lawn, off-street parking area, lot improvement, or other facility for which the City may ultimately assume the responsibility or liability, for maintenance or operation, or which may effect an improvement for which City responsibility and liability is established.
51. Public Streets: A street over which the general public has acquired the right of use.
52. Public Utilities: Water, gas, sanitary and storm sewer, electrical and communications lines and facilities.
53. Resubdivision: A change in an approved or recorded subdivision plat if such change affects any street layout, easement, area reserved for public use, or lot line.
54. Right-of-Way: Access over or across particularly described property for a specific purpose or purposes.
55. Right-of -Way line: The dividing line between a lot, tract or parcel of land and a contiguous right-of-way.
56. Right-of-way Width: The distance between right-of-way lines measured at right angles.
57. Sanitarian: A professional sanitarian appointed by the Health Department and authorized to perform health services in Danielsville, Georgia.
58. Shoulder: The portion of a street or road from the outer edge of the paved surface or curb to the inside edge of the ditch, gutter, or original ground surface.
59. Sidewalk: The portion of the right-of-way which is parallel to a street or road which is intended for pedestrian traffic.
60. Sketch Plat: A generalized representation of the proposed subdivision submitted prior to the preliminary plat that will enable the subdivider to reach general agreement with the City Council as to the form of the plat and the objectives of these Regulations.
61. Soil Erosion Ordinance: The Soil Erosion and Sedimentation Control Ordinance of Danielsville, Georgia.
62. Street: A right-of-way for vehicular traffic shelter

designated as street, highway, thoroughfare, parkway, expressway, freeway, road, avenue, drive, boulevard, lane, place, circle, or otherwise. Various subclassifications are defined as follows:

A. Arterial: A street which is used primarily for fast and heavy traffic flow, is of considerable continuity, and is used to travel through and within the City.

B. Major Collector: A street which carries traffic from activity centers and minor collector streets to arterial streets and streets of higher classification.

C. Minor Collector: Principle entrance streets to a subdivision and the main streets for circulation within a subdivision which serve a network of four (4) or more local streets.

D. Local Streets: A street used primarily for access to abutting properties as opposed to the collection and dispersion of traffic.

E. Cul-de -Sac: A local street having one (1) end open to traffic, the other being permanently terminated by a vehicular turnaround.

F. Marginal Access Road: A street which is parallel to and adjacent to an arterial street or highway and which provides access to abutting properties and protection from through traffic.

G. Dead End: A stub street in a subdivision which may at a later time be continued into another portion of the subdivision or to connect to another street.

63. Street Grade: The grade of the center line of a street measured at any point along the street expressed as a percent.

64. Street, City: A street which is owned or maintained by Danielsville, Georgia.

65. Structure: Anything constructed, erected or attached to something having a location on the ground.

66. Subdivider: Any person dividing or proposing to divide land so as to constitute a subdivision.

67. Subdivision: Any land which is divided or proposed to be divided into two (2) or more lots or parcels. The following are not included within this definition: The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots comply with the standards of these Regulations.

68. Surveyor: A registered, practicing surveyor licensed by the state of Georgia.

69. Variance: A modification of the terms of these Regulations where such modification will not be contrary to the public health, safety and welfare; where, owing to conditions peculiar to the property, not the result of actions of the subdivider or owner, a literal enforcement of these Regulations would result in unnecessary and undue hardship.

70. Zoning Ordinance: The Zoning Ordinance of the City of Danielsville, Georgia.

ARTICLE III. REQUIREMENTS FOR IMPROVEMENTS, RESERVATIONS AND DESIGN

3.1 GENERAL REQUIREMENTS

1. Conformance to Applicable Rules and Regulations: In addition to the requirements established herein, all subdivision plats shall comply with the following laws, rules, regulations, and ordinances:

A. All applicable statutory provisions.

B. The Zoning Ordinance of the City of Danielsville, Georgia, building and housing codes, and all other applicable laws of the appropriate jurisdictions.

C. Official Maps of the City of Danielsville (Zoning Map, Composite Plat of the City Limits as modified by any annexations)

D. Any and all rules of the Madison County Health Department or appropriate State Agencies.

E. The rules of the State Highway Department, if the subdivision or any lot contained therein abuts a state highway.

F. The Soil Erosion and Sedimentation Control Ordinance of Danielsville, Georgia.

2. . Plats Straddling Political Boundaries: Whenever access to a subdivision is required across land in another governmental jurisdiction, the City Council may request assurance from the City Attorney that access is legally established.

3. Suitability of the land: Land subject to flooding, improper drainage, erosion, geological hazards, topographical limitations, or for other reasons that classify land as unsuitable for residential use shall not be platted for residential use nor for any other use that will continue or increase the danger to health, safety, or property destruction, unless the hazards can be sufficiently mitigated and the actions needed to do so are shown on the final plat prior to its approval.

4. Rejection of Land Dedication: Whenever a plat proposes the dedication of land for public use and the City Council determines that such land is not suitable for the purposed public use, the City Council shall refuse to approve either the preliminary or final plat until such dedication is removed from the plat.

5. Water Retention Structures: No water retention structure shall be shown to be dedicated or accepted by Danielsville, Georgia. When the City Council finds such structure is recorded on a plat, such dedication shall be stricken from the plat prior to approval.

6. Subdivision Name: The proposed name of the subdivision shall not duplicate nor closely approximate phonetically or visually, the name of any other subdivision in Danielsville, Georgia. The City Council shall have final authority to approve the name of the subdivision, which shall be determined at the time of approval of

the preliminary plat .

7. Large Scale Development : The requirements of these regulations may be modified in the case of a large-scale community, commercial or neighborhood developments in excess of fifteen (15) acres that are not subdivided into customary lots, blocks, and streets. Such modifications shall conform with the purpose and intent of these regulations, and shall follow the requirements for a Planned Unit Development (PUD) as may be included in the Zoning Regulations of Danielsville, Georgia, if in effect at the time they are revised.

### 3.2 REQUIRED IMPROVEMENTS

1. General: The requirements of this section shall apply to every major subdivision and shall be planned for and provided by the subdivider, by installation and payment prior to the approval of the final plat.

2. Street Name: All streets shall be named and marked with signs. Street names shall have the approval of the City Council and shall not duplicate, nor closely approximate phonetically or visually, the name of any other street in Danielsville, Georgia, nor the name of any other street within the applicable postal service delivery area . A street that is in alignment with an existing street shall continue the name of the existing street.

3. Streets: All streets shall be designed, constructed, and paved in accordance with the standards set forth in these regulations. No street shall be accepted by the City until the provisions of Section 6.3 are met. The subdivider shall provide suitable ground cover, such as grass, on all unpaved areas of street right-of-way and other public areas.

4. Street Signs/Traffic Control Devices: Street name signs and traffic control devices of a design approved by the City will be furnished and installed by the City. Material and installation cost shall be paid for by the subdivider prior to the recording of the plat and issuance of any building permits.

5. Utilities: Except as provided in Section 8.3, the following provisions shall apply:

#### General

A. Utilities: All water, sewer, and natural gas lines shall be installed along street rights-of-way, underground, but generally not under paved areas. Where required because of topography, location of existing utilities, or other factors the City Council may allow the installation of utilities in other areas. All subdivisions must connect to City water lines and sewer mains, at the subdivider's expense, if City water or City sewer is available within 1500 feet of any subdivision boundary line.

B. Water: If a public water system can serve the proposed subdivision, water mains shall be installed by the subdivider within the subdivision with connections to each lot extended to the lot line. If a public water system is not available, the subdivider shall provide a water supply through a community water system or individual wells in conformity with state law and the regulations of the Madison County Health Department and this ordinance.

C. Sewer: If a public sanitary sewer system can serve the proposed subdivision, sewer mains shall be installed by the subdivider with connections to each lot extended to the lot line.

The subdivider shall install sewer mains and sewer laterals, extended to the property line of each lot, and any required pump stations, in accordance with accepted engineering practices. If a public sewer system is not available, the subdivider shall provide a community sewage collection and treatment system or individual septic tank systems in conformity with the regulations of the Madison County Health Department and the Georgia Department of Natural Resources. Sewerage requirements must meet the minimums specified in the Danielsville City Code.

D. Street Lights : The subdivider shall install street lights within the rights-of-way, with a light at each street intersection and every 250 feet, or based upon power company specifications.

#### 6. Storm Drainage

A. General: Lots shall be laid out so as to provide positive drainage away from all buildings. Individual lot drainage shall be coordinated with the general storm drainage pattern for the area. Drainage shall be designed so as to connect to drainage easements.

B. Connection to Existing Systems: If a public storm water drainage system can serve the proposed subdivision, then the subdivider must install an underground storm drainage system which will be connected to the public system. Should a storm drainage system not exist, then adequate surface drainage facilities shall be installed.

#### 3.3 DESIGN STANDARDS FOR BLOCKS AND LOTS

1. Block Lengths and Widths : Block lengths and widths shall be as follows:

A. Blocks shall not be greater than twelve hundred (1200) feet nor less than four hundred (400) feet in length, except in unusual circumstances.

B. Blocks shall be wide enough to provide two (2) tiers of lots of minimum depth except where abutting arterial streets or other situations make these requirements impractical.

C. Blocks shall have pedestrian walk-ways of not less than four feet in width where deemed essential by the City Council, as needed or to provide circulation or access to schools, playgrounds, shopping centers, transportation, and other community facilities.

D. Except where topographic or other conditions make a greater length unavoidable, as determined by the City Council, any cul-de-sac (dead end street) shall not be greater than twelve hundred (1200) feet in length, and shall be provided at the closed end with a turnaround having a pavement radius of at least forty (40) feet. Paved temporary turnarounds shall be provided for dead end streets which are scheduled to be extended at a later date.

2. Alleys: Alleys may be required at the rear of all lots used for multi-family, commercial, or industrial development. Alleys in single-family residential subdivisions shall not be permitted, unless the subdivider provides evidence satisfactory to the City Council of the need for alleys.

3. Development along Arterial Streets: Where a subdivision abuts an arterial street, a street approximately parallel to the right of way may

be required by the City Council.

4. Lot Size: All lots shall meet the lot requirements of the zoning ordinance. Corner lots shall have adequate width to meet building setback requirements from all abutting streets as defined in the zoning ordinance.

5. Lot Lines: All side lot lines shall be perpendicular or radial to street lines, unless topographic or other features make more practical as lot lines.

6. Double and Reverse Frontage Lots: Double frontage and reverse frontage lots shall be avoided except where essential to provide separation of development from arterial streets or to overcome specific disadvantages of topography and orientation.

7. Easements: The City Council shall require all easements to have adequate widths and be located along the rear or side lot lines, with provision for access from a public way.

8. Reserve Strips: Reserve strips which control access to streets and public grounds shall be permitted only when the control of the reserve strip is placed in the hands of the city.

### 3.4 DESIGN STANDARDS FOR STREETS

1. General: In order to provide for roads suitable in location width, and improvements, and to coordinate roads so as to compose a convenient system and avoid undue hardships to adjoining properties, the following design standards for roads are hereby required and shall be planned for and provided by the subdivider, prior to the approval of the final plat. Road classifications shall be indicated by the Mayor and City Council.

#### 2. Right of ways

A. Minimum Street Rights of way: Minimum street right of way widths shall be as follows:

Major Collector Street	-60 feet
Minor Collector Street	-60 feet
Local	-60 feet
Alley	-24 feet

B. Additional Right-of-way: Right-of-way widths in excess of the standards, designated in these regulations shall be required whenever, due to topography, additional width is necessary to provide adequate cut slopes. Such slopes shall not be in excess of three-to-one (3:1)

3. Street Pavement Widths: Street pavement widths shall be as follows:

Major Collector	-24 feet
Minor Collector	-24 feet
Local	-20 feet
Alley (Residential)	-18 feet
Alley (Comm/Ind)	-20 feet

#### 4. Paving Requirements:

A. Clearing And Grubbing Right-of-Way: This work shall



consist of removing and disposing of all vegetation and debris within the right-of-way to a depth of at least three(3) feet below finished subgrade. All stump holes shall be back filled with a suitable material, Class I or II soil. All clearing and grubbing shall be completed in accordance with the requirements of the Georgia Department of Transportation specifications for Clearing and Grubbing Rights-of-Way.

B. Subgrade: This work shall consist of placing, mixing, compacting and shaping the top six (6) inches of soil. This work also includes subgrade stabilization.

C. Compaction: The entire surface shall be plowed, harrowed and mixed to a depth of at least six (6) inches. After the material has been thoroughly mixed, the subgrades shall be compacted at ninety (90) percent of the maximum density. Sheep foot rollers are required. Compaction test shall be at five hundred (500) feet intervals and at every two (2) feet of fill material. Any areas that do not meet with the specified compaction shall be excavated and replaced with suitable material. Test results shall be submitted to the Mayor and City Council as conducted. All costs for compaction tests shall be incurred by the developer.

D. Subgrade Material: The material shall consist of class I or II soil. If such material is not available on site, it shall be furnished by the developer.

E. Base: All streets shall have a six (6) inch crusher run stone base or a four (4) inch compacted asphaltic concrete base.

F. Paving: All streets shall have a two (2) inch Plant Mix asphalt Type "E" or "F" top weaving surface applied to a properly prepared base.

5. Shoulder Requirements: The street right-of-way shall be graded at least eight (8) feet, measured from the back of curb or edge of pavement on both sides of the street. Utilities and water lines shall not be installed between curb and outside of drainage ditch, to prevent the encroachment of driveways into the street surface, and to provide walk-ways off the paved vehicular surface; provided, however, the City council may waive this requirement in cases where the subdivider can demonstrate that the topography of the land being subdivided is such that compliance with this provision would be impractical. Topsoil must be stripped and stock piled before preparation of the seedbed. The soil shall be thoroughly broken, well pulverized, smoothed and firm before planting. Shoulders shall be seeded with approved groundcover such as Bermuda applied at a rate of two pounds per one thousand square feet (2 lbs./1000 sq. ft.) or fescue applied at a rate of five pounds per one thousand square feet (5 lbs./1000 sq. ft.). Mulch shall be used on all seeded areas.

6. Culverts: Pipe size shall be determined by standard engineering practices. All pipes shall be bituminous coated. A flaired-end-section shall be attached to all pipe openings.

7. Design Guidelines:

A. Continuation of Existing Streets: Where feasible, existing streets shall be extended for access into the subdivision. Such extensions shall be continued at the same or greater width, but in no case shall be less than the required width.

B. Linear Street Grades: Maximum and minimum linear street grades shall be as follows:

Arterial Streets- Not more than six (6) percent.

Major Collector Street- Not more than eight (8) percent.

Minor Collector Street, Local Streets, and Alleys- Not more than ten (10) percent.

No linear street grade shall be less than one (1) percent.

C. Horizontal Curvature: The radii of center line road curvature shall be as follows:

Arterial	-300 feet
Major Collector	-200 feet
Minor Collector	-200 feet
Local Streets	-100 feet
Alleys-	(Determined by City Council)

D. Tangents: Between reverse curves, there shall be a tangent having a length of not less than one hundred (100) feet.

E. Vertical Alignment: There shall be horizontal sight distance at all street intersections, when measured from a height of six (6) feet, according to the following:

Arterial	-400 feet
Major Collector	-300 feet
Minor Collector	-250 feet
Local Streets	-200 feet
Alleys	-150 feet

(NOTE: Where two (2) or more streets of different classifications intersect, the sight distance requirement for the highest classification shall be used.)

F. Intersection Design: Street intersections shall be as nearly at right angles as possible. No street intersection shall be at an angle of less than sixty (60) degrees. Street intersections must be separated from each other by at least 125 feet.

G. Cul-De-Sac: All cul-de-sac streets shall not exceed twelve (12) times the minimum required lot width or 1,200 feet, whichever is less. Larger cul-de-sac streets may be approved by the City Council if topographic conditions pose development constraints or unusual platting exists. Such approvals must be with consent of the Fire Marshall.

H. Turnaround: Right-of-way diameter 100 feet, pavement diameter 80 feet for residential subdivision.

I. Private Access Drives: Private access drives shall be permitted to serve no more than two (2) land-locked

residential lots where, due to special problems created as a result of necessary unusual platting configuration, or as a result of special physical features, the property could not otherwise be developed. No more than one such drive shall be approved per subdivision development and must be approved as part of the original plat. These drives are exempt from paving requirements and shall be deeded to the owner (s) of the lot(s) which use the private drive for access. Private access drives shall have the same right-of-way as is required for local streets, or upon application for a variance the City Council may allow a right-of-way width of thirty feet per lot accessed by a private drive.

J. Alleys: Alleys may be required for loading at the rear of all lots designated for business and industrial use. Dead end alleys are prohibited.

K. Slope Maintenance Easement: Slope maintenance easements shall be required whenever, due to topography, additional width is necessary to provide adequate earth slopes.

L. Primary Highway System: Whenever a proposed subdivision abuts an arterial road or major collector, an access road or land with curbing extending the full length of the subdivision along such highway and providing limited access thereto may be required at a distance suitable for the use of the land between such access road or land highway.

M. Visibility : Where any street intersection will involve earth banks or existing vegetation inside any lot corner that would create a traffic hazard by limiting visibility, the developer shall cut such ground or vegetation (including trees) in connection with the grading of the public right-of-way to the extent deemed necessary to comply with the sight distance required by these regulations .

N. Driveways: Driveways shall have a slope of not more than a positive or negative twelve (12) percent for a distance of ten (10) feet measured along the driveway center line from the right-of-way line, must be a minimum of six (6) inches above the elevation of the gutter line.

O. Sidewalks: The inclusion of sidewalks within subdivisions is encouraged. When included, sidewalks shall be within the dedicated non-paved right-of-way of all roads within the subdivision. Concrete curbs are required for all roads where sidewalks are to be installed. The minimum paved width of sidewalks shall be five (5) feet and a median strip of grassed or landscaped areas at least two (2) feet wide shall separate all sidewalks from adjacent curbs.

P. Curb and Gutter: Concrete curbs and gutters are required in subdivisions where the average street frontage per lot is less than one hundred (100) feet, or if required by the Mayor and City Council based upon hydrological and engineering analysis which shall be provided by the subdivider at the subdivider's expense. Concrete curbs and gutters shall be constructed with three thousand (3,000) pounds per square inch at twenty-eight (28) day breaking strength, six (6) inches by twenty-four (24) inches, or Hollywood Type, six (6) inches by three (3) inches by twenty-four (24) inches with a tool joint spaced every ten (10) feet and an expansion joint spaced every fifty (50)

feet.

## 8. Slopes

A. General Requirements: Development of subdivisions is to be accomplished with minimal earth moving and disruption to the natural topography of the site. It is the intent of these Regulations that existing or man-made slopes be modified or designed in such a way as to minimize potential for erosion and to minimize ease of maintenance. Subdivision development shall conform to provisions of the Erosion and Sedimentation Control Ordinance.

### B. Design Standards:

(1) No existing or proposed cut or fill slope shall exceed three (3) horizontal units to one (1) vertical unit within eleven (11) feet of the edge of pavement of back of curb. If the distance is greater than (11) feet, the slope may be greater than three to one (3 :1) up to a maximum to one (1) vertical unit, provided that all cut and fill shall be within the prescribed right-of-way of the road or slope easements . All grading as provided within this section shall be completed and approved by the Building Inspector prior to the installation of any utilities.

(2) All fill slopes created for the purpose of street construction shall have a compaction of not less than 95 percent as determined by established engineering practices.

(3) Slopes flatter than those set forth in the foregoing paragraphs may be required when, in the opinion of the Building Inspector, the general nature of the soil involved warrants a flatter slope. To control surface drainage on existing and proposed slopes, berm ditches may be required at the top and the intersection of the slope and ground line.

(4) All slopes created or existing within the subdivision or as a result of the subdivision development shall be planted or otherwise protected from erosion and failure. Such planting and other protection from erosion and failure shall be completed and shall be undertaken immediately upon creation of any slope steeper than two (2) horizontal feet to one (1) vertical foot and completed without delay in accordance with plans and specifications approved by the Building Inspector. In addition, the subdivider may be required to provide a fence, hedge, guardrail or other protective device, specified by the Building Inspector along ridges in excess of twenty (20) vertical feet in height and with slopes in excess of 1.5:1 (horizontal :vertical) to prevent dangerous falls for children and other residents of the subdivision. At the option of the Building Inspector, the developer shall provide certified test results of compaction and any material provided at the location and frequency determined necessary by the Building Inspector.

## 9. Drainage:

A. General Requirements: The storm water drainage system and easements shall be separate and independent of any sanitary sewer system and easement. The City Council shall not recommend approval for any plat of any subdivision which

does not make adequate provision for storm or flood water runoff channels or basins. Storm water runoff and storm sewer or channel design shall be designed by a method as approved by the Building Inspector, and a copy of design computations shall be submitted along with the Construction Plans. Inlets shall be provided so that surface water is not carried for a distance of more than 600 feet in the gutter. When calculations indicate that curb capacities are exceeded at a point, no further allowance shall be made for flow at that point. The subdivider shall improve natural drainage channels existing within a subdivision according to specifications approved by the Building Inspector to prevent or reduce erosion, flooding, or other hazards.

B. Nature of Storm Water Facilities

(1) Location: The applicant may be required by the Building Inspector to carry away by pipe or open ditch any 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, and shall be constructed in accordance with the requirements of the Building Inspector.

(2) Accessibility to Public Storm Sewers: When a public storm sewer 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 water, subject to the specifications of the Building Inspector. If a connection to a public storm sewer will be provided eventually, as determined by the Building Inspector, the developer shall make arrangements for future storm water disposal by a public utility system at the time the final plat receives final approval.

(3) Accommodation of Upstream Drainage Areas: A culvert or other drainage facility shall in each case be large enough to accommodate potential runoff from its entire upstream drainage area whether inside or outside the subdivision. The Building Inspector shall approve the necessary size of the facility which has been designed by a registered Professional Engineer, based on 110 percent of the current storm runoff for the 100-year storm for culverts under streets, and the 25-year storm for all other culverts. Minimum pipe size shall be eighteen (18) inches.

(4) Effect on Downstream Drainage Areas: The developer shall study and the Building Inspector shall review and approve the effect of each subdivision on existing downstream drainage facilities outside the area of the subdivision. Drainage studies, together with such other studies as shall be appropriate shall serve as a guide to needed improvements. Where it is anticipated that the additional runoff incident to the development of the subdivision will overload an existing downstream drainage facility, the City Council shall withhold approval of the subdivision until provision has been made for the improvement of said condition. No subdivision shall be approved unless adequate drainage is provided to an adequate watercourse or facility.

(5) Dedication of Drainage Easement:

Ⓐ General Requirements: Where a subdivision is transversed by a watercourse, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of such watercourse, and of such width and construction or both as will be adequate for the purpose. Whenever possible, it is desirable that drainage be maintained by appropriate means of adequate width for maximum potential volume or flow.

Ⓑ Drainage Easement: Where topography or other conditions are such as to make impractical the inclusion of drainage facilities within road rights-of-way, perpetual unobstructed easements at least twenty (20) feet in width for such drainage facilities shall be provided across to the road. Where pipe size warrants, a ten (10) foot easement may be permitted. Easement shall be indicated on the plat. Drainage easements shall be carried from the road to a natural watercourse or to other drainage facilities. Easements less than twenty (20) feet may be approved by the Building Inspector. When a proposed drainage system will carry water across private land outside this subdivision and outside a natural drain, appropriate drainage rights must be secured and indicated on the plat. The applicant shall dedicate, either in fee simple or by drainage easement, land on both sides of existing watercourses, for a distance to be determined by the Building Inspector. Low-lying land along watercourses subject to flooding or overflowing during storm periods, whether or not included in areas for dedication, shall be preserved and retained in their natural state as drainage ways. Final plats for all subdivisions shall show (or include by note) a ten (10) foot wide drainage easement along every property line whether the developer intends to channel water in these easements or not.

## 10. Water Facilities

### A. General Requirements

Ⓐ The applicant must take necessary action to extend or create a water supply district for the purpose of providing domestic water use and fire protection.

Ⓑ 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 City Authorities.

Ⓒ All water mains shall be at least six (6) inches in diameter. Water main extensions shall be approved by the County Health Department.

Ⓓ To facilitate the above, the location of all fire hydrants, all water supply improvements, and the boundary lines of proposed districts, indicating all improvements proposed to be served, shall be shown on the preliminary plat and the cost of installing same shall be included in the improvements guarantee to be furnished by the developer.

⑥ A copy of the as-built water plans shall be submitted to the Building Inspector.

B. Individual Wells and Central Water Systems: At the discretion of the Building Inspector, if a public water system is not available, individual wells may be used or a central water system provided by the developer in such a manner that an adequate supply of potable water will be available to every lot in the subdivision. Water samples shall be submitted to the Health Department for its approval and individual wells and central water systems shall be approved by the appropriate health authorities. Orders of approval shall be submitted to the Building Inspector.

C. Fire Hydrants: Fire hydrants shall be required for all subdivisions except those served by individual wells or central water systems. Fire hydrants shall be located no more than one thousand feet (1000) feet apart and within five hundred (500) feet of any structure and shall be approved by the Fire Chief. To eliminate future street openings, all underground utilities for fire hydrants, together with fire hydrants themselves and all other water supply improvements shall be installed before any final paving of a street shown on the subdivision plat. All fire hydrants shall be set plumb with outlets eighteen (18) inches above finished grade or twelve (12) inches above a finished concrete surface. All fire hydrants shall have at least two (2) two and one-half inch (2 1/2") discharge outlets and one (1) four and one-half inch (4 1/2") discharge outlet. All threads shall comply with local and State firefighting equipment standards.

D. Design Standards: The water system design standards shall be those of Danielsville, Georgia.

11. Preservation of Natural Features and Amenities : Existing features, which would add value to residential development or to the local government as a whole, such as trees, as herein defined, watercourses and falls, beaches, historic spots and similar irreplaceable assets, shall be preserved in the design of the subdivision. All hardwood trees six inches or more in diameter (d .b.h.) shall be preserved by the subdivider unless the tree presents an obstacle to approve rights-of -way, streets, or structures. Exceptions must be approved by the Building Inspector.

12. Soil Preservation and Seeding: No certificate of occupancy shall be issued until final grading has been completed in accordance with the approved final subdivision plat and the lot precovered with soil with an average depth of at least six (6) inches over the entire area of the lot, except that portion covered by buildings or included in streets, or where the grade has not been changed or natural vegetation seriously damaged. Topsoil shall not be removed from residential lots or used as spoil, but shall be redistributed so as to provided at least six (6) inches of cover on the lots.

13. Individual Disposal System Requirements: If public sewer facilities are not available and individual disposal systems are proposed, minimum lot areas shall conform to the requirements of state law and the zoning ordinance. All percolation tests and test holes shall be made as directed by the County Sanitarian and the results submitted to the Health Department. The individual disposal system, including the size of the septic tanks and size

of the drain fields or any other secondary treatment device, shall also be approved by the County Sanitarian.

A. Design Standards: All plans shall be designed in accordance with the rules, regulations, and standards of the Health Department, the state of Georgia, and other appropriate agencies.

14. Utilities:

A. Location: All utilities shall be placed underground. All utilities placed underground shall be along the front, side or rear property lines, or such other locations as may be approved by the utility companies involved. The facilities for underground utilities or conduits for their construction shall be in place prior to final surfacing of streets. All facilities for utilities shall, where possible, be placed in easements provided for that purpose in the subdivision or located as approved by the Building Inspector. No subdivision street shall be cut for underground utilities.

B. Easements: Utility easements for electric and telephone service lines, sewerage lines, water lines, or other such utilities located along rear lot lines or side lot lines or passing through a lot shall be at least ten (10) feet wide, five (5) feet on each lot, and more if determined by the Building Inspector. Where topographical or other conditions are such as to make impractical the inclusion of utilities within the rear lot lines, perpetual unobstructed easements at least ten (10) feet in width shall be provided alongside lot lines with satisfactory access to the road or rear lot lines. Easements shall be indicated on the plat.

15. Lots

A. General Requirements: All lots shall conform to the provisions of the Zoning Ordinance, specifically those provisions governing minimum area, frontage and setbacks. The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography of other conditions, in securing building permits to build on all lots in compliance with City Regulations and in providing driveway access to buildings on such lots from an approved street.

B. Lot Dimension: Lot dimension shall comply with the minimum standards of the Zoning Ordinance. All lots approved under these Regulations shall front on a street or private access drive. Where lots are more than double the minimum required area for the zoning district, the Building Inspector may require that such lots be arranged so as to allow further subdivision and the opening of future streets where they would be necessary to serve such potential lots, all in compliance with the Zoning Ordinance and the Regulations. In general, side lot lines shall be at right angles to street lines (or radial to curving street lines) unless a variation from this rule will give a better street or lot plan. Dimensions of corner lots shall be large enough to allow for construction of buildings, observing the minimum front-yard setbacks. Depth and width of properties reserved or laid out for businesses, commercial, or industrial purposes shall be adequate to provide for the off-street parking and loading facilities required for the



type of use and development contemplated, as established in the Zoning Ordinance. Commercial and industrial lots shall be of adequate size to provide for the intended use and for the yards, buffer areas, and the off-street parking and loading requirements of the Zoning Ordinance.

C. Lot lines: All lot lines shall be perpendicular or radial to street lines, unless not practicable because of topographic or other feature.

D. Front Yard Setback Lines: A line meeting the front yard setback requirements of the Zoning Ordinance shall be established on all lots. Any projection beyond the front building line such as uncovered porches, steps, eaves, gutters, and similar fixtures shall be subject to provisions of the Zoning Ordinance and approved or disapproved by the appropriate City official for each individual application.

E. Lots Abutting Public Streets: Each lot shall abut upon a publicly dedicated and publicly maintained street or a private access drive designated by the City as providing public access within a development.

F. Double Frontage Lots: Double frontage lots shall be prohibited except where necessary to provide separation or to overcome specific disadvantages of topography and orientation. Double frontage lots which are necessary shall be required to have a no-access easement across them, preventing access to arterial or collector streets.

G. Lot Drainage: 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 drainage pattern for the area. Drainage shall be designed so as to avoid concentration of drainage water from each lot to adjacent lots.

H. Debris and Waste: No cut trees, timber, debris, rocks, stones, junk rubbish, or other waste materials of any kind shall be buried in any right-of-way or under any proposed structures. All such bury pits must be approved by the Building Inspector prior to excavation. All lots shall be seeded from the roadside edge of the unpaved right-of-way to a distance of twenty five (25) feet behind the principle residence on the lot. No certificate of occupancy shall be issued until respreading of soil and seeding of lawn has been completed; except that between October 1 and March 15, and between May 15 and August 15, the applicant shall submit an agreement in writing signed by the developer and the property owner, with a copy to the Building Inspector, that respreading of soil and seeding of lawn will be done during the immediate following planting season as set forth in this section, to the satisfaction of the property owner. Sod or any approved grass seed may be used to comply with any requirement of seeding set forth herein.

### 3.5 NON-RESIDENTIAL SUBDIVISIONS

(RESERVED)

### 3.6 RESPONSIBILITY FOR IMPROVEMENTS

1. General: In lieu of the required improvements in a subdivision, the subdivider may deposit surety for the completion of such improvements with the City and present a final plat for approval. In no case shall any building be occupied or otherwise utilized until all required improvements are completed.

2. Requirements: To assure the construction and installation of required improvements, the subdivider shall deliver to the City a certified check, surety bond, or other acceptable security in such aggregate amount as *is* estimated by the City to be the total cost of the construction and installation of all required improvements. In addition, the subdivider shall, if applicable, deposit surety for road maintenance for a period of twelve (12) months.

3. Conditions: Bonds or other surety posted shall run to Danielsville, Georgia, and provide that the subdivider, his heirs, successors, assigns, and agents, shall comply with all applicable terms, conditions, provisions, and requirements of these and other regulations and the final plat; will faithfully perform and complete the work of constructing and installing all required improvements; that the subdivider shall be responsible to the City for any unnecessary expenses incurred through that failure of subdivider, his heirs, successors, assigns, or agents, to complete the work of said installation and construction in an acceptable manner and from any damages growing out of negligence in performing or failing to perform said installation and construction. If a bond is offered, it shall be executed by a surety or guaranty company qualified to transact business in the State of Georgia . Where a bond *is* required for a road construction project and is to be other than a bond issued by a commercial fidelity bonding company, the surety must meet the following conditions:

A. The surety must be an individual or group individuals:

B. The surety or sureties must be worth at least double the estimated cost of paving the road in equity in real property located in Danielsville, Georgia.

C. The bond must be accompanied by an affidavit setting forth the facts in A and B above.

D. The bond must be double the amount of the estimated cost of the road project; and

E. If there is more than one surety, all sureties shall be jointly and severally liable.

4. Duration and Release: Bonds and surety posed pursuant to this ordinance shall be released or returned, as the case may be, at such time as the facilities guaranteed thereby have been installed and accepted. Acceptances shall be in writing accurately identifying the improvements covered. Facilities shall not be accepted unless they conform to the applicable specifications and requirements.

5. Default Procedures: If the construction or installation of any improvements of facilities for which a bond or other surety *is* posted is not completed within three (3) months after substantial completion of any buildings or structures which said improvements or facilities are designed to serve, or within three (3) years

after the date of recording of final plat, whichever is sooner, or if said construction or installation is not in accordance with the applicable specifications and requirements , the City may, using proceeds from such surety deposits, pay for such work . Such work may be done under contract or by City personnel. To the extent that any portion of a cash deposit is not required or used, said excess cash shall be repaid to the person making the deposit.