IRON COUNTY, UTAH

SUBDIVISION CONSTRUCTION AND DESIGN STANDARDS

Adopted - November 28, 2005
Iron County Commission

Resolution No. 2007-4
Amending Section 104 and Section 108(3)
Adopted – April 23, 2007
Iron County Commission

IRON COUNTY SUBDIVISION CONSTRUCTION AND DESIGN STANDARDS

Section 101 Design Standards:

(1) Streets:

(A) The arrangement, character, extent, width, grade, and location of all streets shall conform to the Master Plan and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.

(B) Where the Master Plan does not show proposed streets, the arrangement of streets in a subdivision shall either;

1. Provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or

2. Conform to a plan for the neighborhood approved or adopted by the Planning Commission to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impracticable.

(C) Minor streets shall be so laid out that their use by through traffic will be discouraged.

(D) Where a subdivision abuts or contains an existing or proposed arterial street, the Planning Commission may require marginal access streets, reverse frontage with screen planting contained in a non-access reservation along the rear property line, deep lots with rear service alleys, appropriate fencing, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

(E) Where a subdivision borders on or contains a railroad right-of-way or limited acccss highway right-of-way, the Planning Commission may require a marginal access street approximately parallel with and on each side of such right-of-way, with appropriate fencing.

(F) Reserve strips controlling access to streets shall be prohibited except where their control is definitely placed in the County under conditions approved by the Planning Commission.

(G) Street jogs with centerline offsets of less than one hundred and twenty-five (125) feet shall be avoided.

(H) A tangent at least one hundred (100) feet long shall be introduced between reverse curves on arterial and collector streets.

(I) When connecting street lines deflect from each other at any one point by more than ten (10) degrees, they shall be connected by a curve with a radius sufficient to insure adequate sight distance.

(J) Streets shall be laid out so as to intersect as nearly as possible at right angles.

(K) Property lines at street intersections shall be rounded with a radius of ten (10) feet, or of a greater radius where the County Engineer may deem it necessary.

(L) Street right-of-way widths shall be as shown in the Master Plan, and where not shown therein, shall be not less than as follows:

Street Type	Right-of-Way Width	Improved Surface
Arterial	100	64
Major Collector	75	40
Minor Collector	66	28
Marginal Access (local)	40-50	28

(M) Half streets shall be prohibited except where essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations and where the Planning Commission finds it will be practicable to require the dedication of the other half when the adjoining property is subdivided.

(N) Dead-end streets, designed to be so permanently, shall not be longer than six hundred (600) feet and shall be provided at the closed end with a cul-de-sac having an improved surface diameter of at least seventy-five (75) feet and a street property line diameter of at least one hundred (100) feet.

(O) No street names shall be used which will duplicate or be confused with the names of existing streets. Street names shall be subject to approval of the Planning Commission, after a recommendation of the County Engineer.

(P) Street grades, wherever feasible, shall not exceed the following, with good engineering practice for reasonable vertical curves:

Street Type	Percent Grade
Arterial	6%
Major Collector	8%
Minor Collector	10%
Marginal Access (local)	10%

(2) Alleys:

(A) Alleys shall be provided in commercial and industrial districts except that the Planning Commission may waive this requirement where other definite and assured provision is made for service access, such as off-street loading, unloading, and parking consistent with and adequate for the uses proposed.

(B) The width of an alley shall be sixteen (16) feet.

(C) Alley intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall be cut off sufficiently to permit safe vehicular movement.

(D) Dead-end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turn-around facilities at the dead end as determined by the Planning Commission.

(3) Driveways:

(A) Driveways exceeding 200 feet in length and/or 10% grade must be approved by the Fire Warden.

(B) A turnout(s) (30 feet long by 10 feet wide minimum) shall be required for any driveway in excess of 200 feet in length, to be located near the mid-way point of the driveway, and not less often than 300 feet apart.

(C) Driveways serving single residential dwellings shall have an improved surface of a minimum of 12 feet wide. Driveways serving two or more residential dwellings shall have an improved surface of at least 16 feet in width.

(4) Easements and Water Courses:

(A) Easements across lots or centered on rear or side lot lines shall be provided for utilities where necessary and shall be at least fifteen (15) feet wide.

(B) Where a subdivision is traversed by a water course, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such water course and such further

width or construction, or both, as will be adequate for the purpose. Parallel streets or parkways may be required in connection therewith.

(5) Blocks:

(A) The lengths, widths, and shapes of blocks shall be determined with due regard to:

(1) Provision of adequate building sites suitable to the special needs of the type of use contemplated.

(2) Zoning requirement as to lot size and dimension.

(3) Needs for convenient access, circulation, control, and safety of street traffic.

(4) Limitations and opportunities of topography.

(B) Block lengths shall not exceed thirteen hundred-twenty (1320) feet.

(C) Pedestrian crosswalks not less than ten (10) feet wide shall be required where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation, and other community facilities.

(6) Lots:

(A) The lot size, width, depth, shape, and orientation and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated.

(B) Lot dimension shall conform to the requirements of the Zoning Ordinance, and

(1) Residential lots where not served by public sewer shall not be less than one-half (1/2) acre in area.

(2) Depth and width of properties reserved or laid out for commercial purposes shall conform to the requirements of the zoning ordinance and be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.

(C) Corner lots for residential use shall have extra width to permit appropriate building setback from and orientation to both streets.

(D) The subdividing of the land shall be such as to provide, by means of a public street, each lot with satisfactory access to an existing public street.

(E) Double frontage and reverse frontage lots should be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least ten (10) feet, and across which there shall be no right of access, shall be provided along the line of lots abutting such a traffic artery or other disadvantageous use.

(F) Side lot lines shall be substantially at right angles or radial to street lines.

(7) Public Sites and Open Spaces:

(A) Where a proposed park, playground, school, or other public use shown in the Master Plan is located in whole or in part of a subdivision, the Planning Commission may require the dedication or reservation of such area within the subdivision in those cases in which the Planning Commission deems such requirements to be reasonable.

(B) Where deemed essential by the Planning Commission, upon consideration of the particular type of development proposed in the subdivision, and especially in large-scale neighborhood unit developments not anticipated in the Master Plan, the Planning Commission may require the dedication or reservation of such other areas created by such development for schools, parks, and other neighborhood purposes.

(8) Cut and Fill Standards:

Grading shall be minimized where all roadway construction activity occurs. Fill and cut slopes shall be constructed in accordance with geo-technical recommendations. Retaining walls shall be used in areas where the vertical height of cuts or fills exceeds ten-feet from the finished grade of the adjacent road. For purposes of this standard, the height of the cut shall be measured to the point where the cut achieves a stable embankment and the height of the fill shall be measured to the point where the fill ends using a 2 foot horizontal to 1 foot vertical fill design. Retaining walls shall be terraced to achieve an eight-foot maximum height. Where feasible, a road segment otherwise requiring a long retaining wall shall be designed to provide for the use of shorter wall segments (generally not exceeding 200 feet). When a retaining wall is used, the vertical height of the cut shall not exceed ten feet measured from the top of the wall to the point where the cut transitions to natural grade and the vertical height of a fill shall be measured from the top of the retaining wall to the finished grade of the adjacent road. Retaining walls shall be tiered if necessary to achieve the maximum vertical cut or fill of ten feet measured as provided above. There will be no limitation on the slope of land that may be crossed by a road or driveway and no limitation on the total height of a cut or fill.

(9) Construction on Slopes:

Lots or buildings proposed on slopes exceeding 25% warrant especially close review to assure that all grading, retaining wall, cut/fill and roadway grade standards will meet the requirements of the County Land Management Code and the currently adopted building codes. No building shall be allowed on grades exceeding 40%.

Section 102 Required Improvements:

The following improvements shall be required for subdivision in Iron County:

Zoning District Improvement	A-20	R-5	R-2	R-1	R-1/2	C	LI	I	I-A	SPA
Graveled Roads[1]	X								X	
Paved Roads[1] (asphalt pavement)		X	X	X	X	X	X	X		X
Curb and Gutter					X	X				
Sidewalks					X	X				
Central Water	X[8]	X	X	X	X	X	X	X	X	X
Central Sewer[2]		X	X	X	X	X				X
Fire Suppression[3]	X	X	X	X	X	X	X	X	X	X
Street Signs	X	X	X	X	X	X	X	X	X	X
Storm Drainage	X	X	X	X	X	X	X	X	X	X
Power (provided by an electric utility)		X	X	X	X	X	X	X	X	X
Fencing[4]	X	X	X	X	X	X	X	X	X	X
Street Lighting[5]				X	X	X	X			X
Appropriate Funding Mechanism[6]	X	X	X	X	X					X
Underground Utilities			X	X	X	X				X
Open Space Parks[7]										
Monuments (Lot Corners)	X	X	X	X	X	X	X	X	X	X

1. Road improvements as indicated are required on-site (within the subdivision) and off-site (from the subdivision to an approved/accepted County Road on the County Maintenance system). The Planning Commission may specify otherwise for off-site improvements. Off-site road improvements determined by the Planning Commission shall be required according to distance and number of lots in the subdivision.
   A chip seal road surface, for the purposes of these standards, is not considered asphalt pavement.

2. Central sewer is only required when sewer is available, as defined in the 2005 Iron County General Plan Amendment Exhibit A and Iron County Ordinance 201.
3. Fire Suppression - Hydrant location and water storage requirements as prescribed by the CICWCD Design and Construction Standards, the State of Utah DEQ/DWQ, or the County Fire Warden. Fire lanes and wildland/urban interface clear corridors are considered part of fire suppression planning.
4. Fences - fencing required for the perimeter of subdivisions in accordance with the County fencing standards.
5. Street Lighting - Minimal downward directional lighting at intersections and other locations deemed appropriate by the Planning Commission.
6. Appropriate Funding Mechanism is required to provide for funding of municipal type services.
7. Open Space, Parks, Public Areas - The Planning Commission may require the dedication or reservation of areas created for schools, parks, or other neighborhood purposes.
8. Subdivisions of less than 10 lots, in the A-20 zone, may provide for water requirements with individual wells, in compliance with the Iron County Subdivision Ordinance.

In addition to the preceding table, the Planning Commission may require additional improvements for the preservation of property and to insure the health, safety, and welfare of Iron County including, but not limited to, street drainage and irrigation structures and facilities. The location, design, dimensions, materials, and workmanship of all improvements shall be in accordance with Iron County specifications.

Monuments: Monuments shall be placed at all block corners, angle points, points of curves in streets, and at intermediate points as shall be required by the County Engineer or Surveyor. The monuments shall be of such material, size, and length as may be approved by the County Engineer or Surveyor. Metal stakes shall be installed at all lot corners as approved by the County Engineer or Surveyor.

(1) Costs and charges in connection with the development of a subdivision shall be as follows, unless otherwise authorized:

Facility	Developer	County or Other
Easements and rights-of-way "on site"	100%	0%
Easements and rights-of-way "off site"	100%	0%
Streets, grading, and drainage "on site"	100% for all streets	0%
Bridges	100% for all bridges on minor streets	0%
Culverts	100% for all culverts	0%
Street paving	100% for all streets requiring 44' width of paving or less	100% for all required extra width over 44 feet
Curb and gutter and curb cuts	100%	0%
Sidewalk	100%	0%
Street signs including lot addressing, (amended May 13, 1993)	100%	0%
Street lighting	100% for easements and rights-of-way	0%
Electric utilities	100% for easements and rights-of-way	Installed by Power and Light Company
Water lines "on site"	100% 6" minimum	All required over size
Water lines "off site"	100% 6" minimum, repayment to be subject to negotiation with the County Commission or CICWCD	All required over size

Sewer Lines "on site"	100% 8" minimum	All required over size
Sewer Lines "off site"	100% 8" minimum, repayment to be subject to negotiation with the County Commission	All required over size
Fire hydrants	100%	0%

Section 103 Adoption of the International Building Code, National Electrical Code, International Plumbing Code, International Fuel Gas Code, International Mechanical Code, and International Residential Code:

(1) The International Building Code (IBC), the International Plumbing Code (IPC), The International Mechanical Code (IMC), the International Residential Code IRC), and the International Fuel Gas Code (IFGC), as developed, adopted, and approved, and thereafter amended by the International Code Council (ICC) and the State of Utah, be and are hereby adopted as the ordinance rules and regulations of Iron County; as adopted by the State of Utah.

The National Electrical Code (NEC) as developed, adopted, and approved and published by the National Fire Protection Association and the State of Utah, be and are hereby adopted as the ordinance rules and regulations of Iron County.

(2) Future editions of the above-said Codes, duly published, shall take effect when published, adopted by the State of Utah, and filed with the County Recorder without necessity of further adoption.

(3) The above-said Codes and Standards shall be enforced by the Building Official of Iron County.

(4) In case of any conflict between the requirements of the Iron County Land Management Code and the International Building Codes requirements listed herein, the International Building Code requirements will prevail.

(5) Any person, individual, public or private corporation, government, partnership, or unincorporated association that violates any of the provisions of this Code as hereby adopted as if fully set forth herein or who shall violate or fail to comply with any order made thereunder and from which no appeal has been taken or who shall fail to comply with such an order as affirmed or modified by the Iron County Commission or by a court of competent jurisdiction within the time fixed thereby shall severally, for every such violation and noncompliance respectively, be guilty of a misdemeanor, punishable by a fine in the sum of not exceeding two hundred ninety nine ($299.00) dollars per violation, or by imprisonment for a period not exceeding ninety (90) days, or by both such fine and imprisonment.

Section 104 Guarantee of Performance:

Before final plat approval by the County Commission, the developer/subdivider shall guarantee the completion of improvements required under this Chapter within the time frames outlined in this Section and that the improvements will be maintained in a state of good repair and free from defective material or workmanship for the period of time as specified in this Section.

(1) Type and Amount of Guarantee of Performance:

(A) All funds for every Guarantee of Performance ("Guarantee") shall be held by, deposited with, or otherwise guaranteed by a federally-insured financial institution licensed to and doing business in the State of Utah and shall be in one of the following forms:

(1) A surety bond from a surety company licensed to and doing business in the State of Utah, or

(2) An irrevocable letter of credit from a bank chartered under the laws of the State of Utah or the United States of America and having an office in the State of Utah, or

(3) An escrow agreement having as escrow agent thereon a title company that is regulated by the State of Utah Department of Commerce. Escrow agreements consist of a commitment signed by both the escrow agent and developer/subdivider. Any interest accrued in an escrow account would belong to the developer/subdivider.

(B) The County Attorney shall approve the form of the Guarantee.

(C) The Guarantee shall be in an amount not less than 125% of the costs of the required utilities and improvements (the additional 25% is for retainage and inflation) as approved by the County Engineer.

(D) When approved by the Board of County Commissioners, the developer/subdivider may include part or all of the improvements under a Special Improvement District contract with the County.

(E) Every Guarantee shall contain at least the following:

(1) A separate itemization of each type of improvement with the estimated cost thereof supplied by the developer/subdivider's engineer, and

approved by the Iron County Engineer.

(2) A statement that distributions of payments, to contractors and suppliers for construction work to be completed upon the subdivision, shall occur only upon written request by both the developer/subdivider and the County Engineer.

(3) A statement that no more than 90% of the total amount of the Guarantee (125%) may be released prior to final acceptance.

(4) A statement that, notwithstanding the itemization of type and cost of improvement, any sum available pursuant to the Guarantee may be used by the County for any other improvement covered by the guarantee as well as the specified improvement.

(2) Terms and Duration:

(A) Every Guarantee authorized by this Standard shall have an express term of at least two (2) years from the date of approval of the final plat of the Subdivision to which it applies, or until all improvements have been inspected and the guarantee is released by the County as provided in (3) of this Section. Further, such Guarantee shall contain language guaranteeing the performance of the developer/subdivider and a provision for the unconditional payment of the face amount of the Guarantee within ten (10) days from any declaration of default by the County.

(B) An extension of time may be granted by the Board of County Commissioners upon application by the developer/subdivider provided such application is submitted at least 90 days prior to the expiration of the Guarantee.

(3) Release Prior to Final Inspection, Final Inspection and Release, and Second Guarantee:

(A) Before more than sixty percent (60%) of any item is released, the surety company, bank, or escrow agent, on behalf of the developer/subdivider, shall file with the County Engineer a statement that no material man's lien or mechanic's lien exists with regard to the improvements related to any part of the Guarantee.

(B) The developer/subdivider shall be responsible for the quality of all materials and workmanship. At the completion of the work, or not less than 30 days prior to the expiration date of the Guarantee, the County Engineer shall make a preliminary inspection of the public service facilities and shall submit a report to the County Commission setting forth the condition of such facilities. If the condition of the facilities is found to be satisfactory, the County Commission shall release the Guarantee. If the condition, material, or workmanship of the facilities shows unusual depreciation or does not comply with the acceptable standards of durability, the Board of County Commissioners may declare the developer/subdivider in default.

(C) Immediately prior to final acceptance of the improvement of the subdivision, the County shall require and receive from the developer/subdivider a second Guarantee in a form authorized under subsection (1)(A) having a term of one (1) ear and a face value of ten (10%) percent of the original Guarantee. Such second Guarantee may be released at any time after the expiration of one year and, in the opinion of the County Engineer, sufficient time has elapsed to prove the satisfactory nature of the improvement and be thus so approved.

(4) **Default**: In the event the developer/subdivider is in default or fails or neglects to satisfactorily install the required utilities and improvements within one year and nine months from the date of final plat approval by the Board of County Commissioners, the County may declare the project to be in non-compliance with these standards and the County may install or cause the required improvements to be installed using the proceeds from the Guarantee to defray the expenses thereof.

(5) **Special Improvement Contracts:** In the event that the improvements are installed under a Special Improvement District contract, the planning and execution of the work shall be carried out as prescribed by laws pertaining thereto. (See Utah Code Annotated 17A-2-301 et seq., 17A-2-1301 et seq., or other subsequent applicable sections.)

Section 105 Suitability of the Land:

No land shall be subdivided for residential use which is held by the Planning Commission to be unsuitable for such use by reason of flooding or bad drainage, or any feature likely to be harmful to the health, safety, or welfare of the future residents in the proposed subdivision or of the community, unless and until such land is rendered suitable for residential use.

Section 106 Variations:

Where the developer/subdivider can show that a provision of these general requirements and design standards would cause unnecessary difficulties if strictly adhered to and where, because of unique or other special conditions peculiar to the site, in the opinion of the Planning Commission a departure may be made without destroying the intent of such provisions, the Planning Commission may recommend a variation in the standards and approved by the County Commission. Any variation so authorized shall be in writing in the minutes of the Planning Commission, and a copy thereof shall be recorded by notation on the final plat when filed with the County Recorder.

Section 107 Administrative Responsibilities:

All administrative officials of Iron County shall refrain from issuing building permits or from opening, accepting, grading, or paving a street or authorizing the laying of sewers and water mains or making connections from the mains to such lines in a street, unless otherwise authorized, which has

(1) not received the status of a public street, or

(2) does not correspond with a street on a subdivision plat tentatively approved by the Planning Commission, or

(3) having been submitted to the Planning Commission and disapproved by it, has not been accepted by the Board of County Commissioners by a favorable vote of not less than a majority of their membership.

Section 108 Fees, Enforcement, Permits, and Penalties:

(1) **Fees:** Any and all persons filing final plats with the County Recorder shall have already paid to Iron County the cost of all office and field checking according to the schedule adopted by the County Commission.

FINAL PLATS WILL NOT BE RECORDED UNTIL THE COUNTY RECORDER RECEIVES PROOF THAT ALL BONDS AND FEES HAVE BEEN PAID IN FULL AND THAT ALL REQUIRED LETTERS OF FEASIBILITY AND SIGNATURES OF APPROVAL HAVE BEEN OBTAINED.

(2) **Enforcement:** The County Commission, the County Building Official, and such other departments and agencies of the County government as specified under the provisions of this title are hereby designated and authorized as the agencies charged with the enforcement of the provisions of this title and shall enter such actions in court as may be necessary through the office of the County Attorney. **FAILURE OF SUCH DEPARTMENTS TO PURSUE APPROPRIATE LEGAL REMEDIES SHALL**

NOT LEGALIZE ANY VIOLATIONS OF SUCH PROVISIONS.

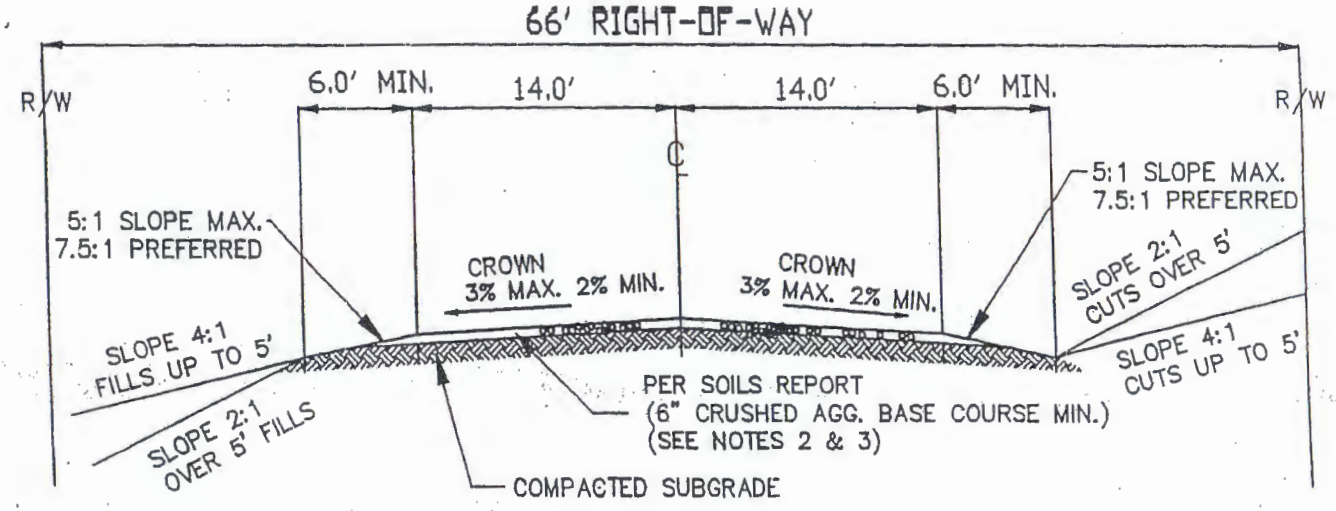
(3) **Inspection of Subdivision Infrastructure:** The Iron County Engineer shall inspect, or cause to be inspected, roads, fire hydrants, and water supply and sewage disposal systems during construction, installation, or repair. Excavations for roads, fire hydrants and water and sewer mains and laterals shall not be paved, covered or backfilled until such installations shall have been approved by the Iron County Engineer. If any such installation is covered before being inspected and approved, it shall be uncovered after notice to uncover has been issued to the responsible person by the County Engineer.

Before the Final Plat is recorded, the developer/subdivider shall pay to the County Treasurer an inspection fee of 1% of the County Engineer's estimated amount (the improvement amount, not including the additional 25% for retainage and inflation), to cover the cost of inspections in the subdivision.

(4) **Permits:** From the time of the effective date of this Ordinance, the Building Official shall not grant a permit, nor shall any County officer grant any license or permit, for the use of any land or the construction or alteration of any building or structure on a lot which is in violation of any provision of this Ordinance until a subdivision plat therefore has been recorded or approved as required by Iron County Ordinance. Any license or permit issued in conflict with such provision shall be void. Developers/Subdividers are required to furnish buyers information that building permits are a County requirement.

(5) **Violation:** No person shall subdivide any tract or parcel of land located wholly or in part in Iron County except in compliance with the provisions of Iron County Subdivision Ordinance. No person shall purchase, sell, or exchange any parcel of land which is any part of a subdivision or a proposed subdivision submitted to the Planning Commission, nor offer for recording in the office of the County Recorder any deed conveying such parcel of land or any fee interest therein, unless such subdivision has been created pursuant to and in accordance with the provisions of the Iron County Subdivision Ordinance. There shall be no exemptions under this requirement.

(6) **Penalty**: Whosoever shall violate any of the provisions of this ordinance shall be guilty of a separate misdemeanor for each and every lot sold or transferred in any way, including sales by contract and all forms of transfer of interest or ownership in violation, and upon conviction of any such violation shall be punishable by a fine of not more than two hundred ninety-nine ($299.00) dollars per lot, or by imprisonment for not more than six (6) months, or by both such fine and imprisonment, or by the penalty for transfer and sale of property provided in Section 17a-27-21, Utah Code Annotated, 1953.



GRAVEL ROAD MINIMUM CROSS SECTION
66' RIGHT-OF-WAY

1" = 10' HORIZONTAL

NOTES:

1. THE COMPACTED SUBGRADE MAY BE NATIVE MATERIAL OR IMPORTED GRANULAR MATERIAL.
2. TYPE AND THICKNESS OF THE BASE COURSE SHALL BE DETERMINED BY A SOILS REPORT & APPROPRIATE DESIGN. THE MINIMUM 6 INCH BASE COURSE SHALL BE 1 INCH MAXIMUM GRADATION IF READILY AVAILABLE. IF THE 1 INCH GRADATION IS NOT AVAILABLE THE BASE COURSE MAY BE 3/4 INCH MAXIMUM GRADATION TO UDOT STANDARDS.
3. PART OF THE BASE COURSE MAY BE SELECTED BANKRUN MATERIAL UPON "PRIOR APPROVAL" BY THE IRON COUNTY ENGINEER.
4. FOR DESIGN STANDARDS SEE UDOT STANDARD DRAWING NOS. 815-3 AND 815-3A.
5. FOR CONSTRUCTION SPECIFICATIONS USE UDOT 1992 STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION.

DRAWN BY: K.L. NELSON DATE: JUNE, 1997 DWG. NO.: APPROVED BY: S.R. PLATT	REVISIONS	PROJECT IRON COUNTY ROAD DEPARTMENT	SHT. NAME GRAVEL ROAD MINIMUM CROSS SECTION 66' RIGHT-OF-WAY	SHT. NO. 1

EXHIBIT A

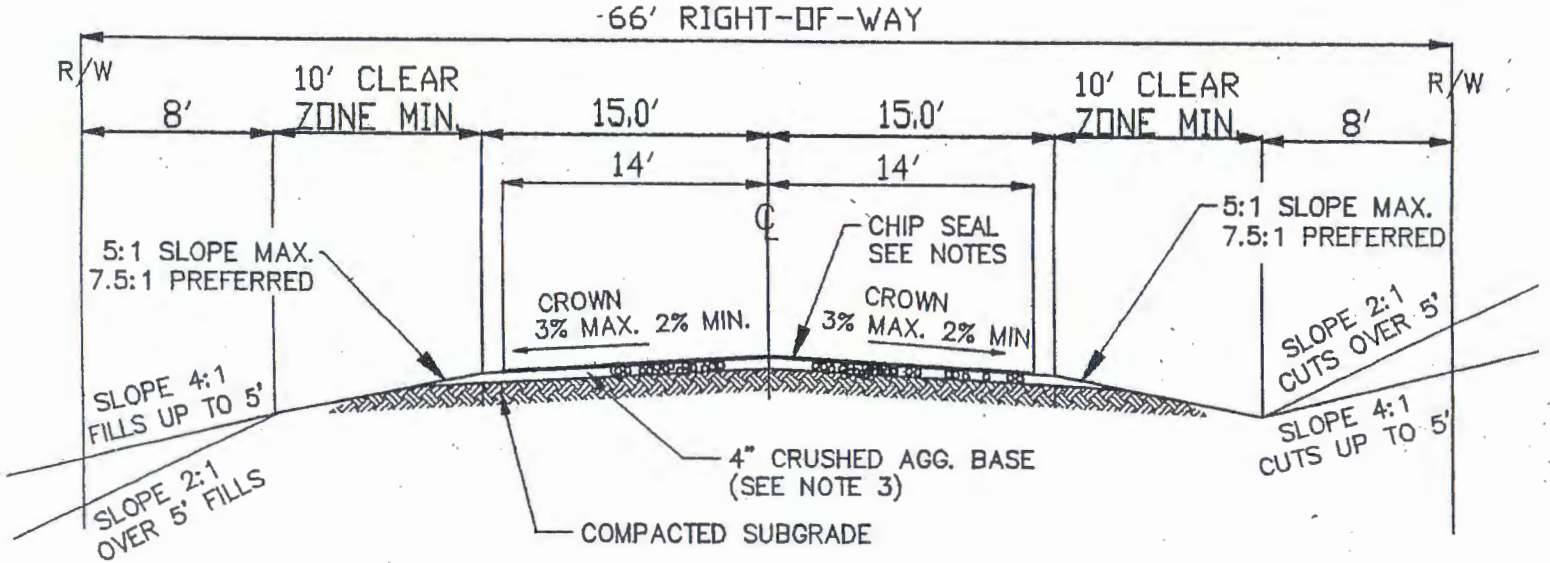


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EXHIBIT B

CHIP SEAL SURFACE COURSE MINIMUM CROSS SECTION
66' RIGHT-OF-WAY

1" = 10' HORIZONTAL

NOTES:

1. THE COMPACTED SUBGRADE MAY BE NATIVE MATERIAL OR IMPORTED GRANULAR MATERIAL.
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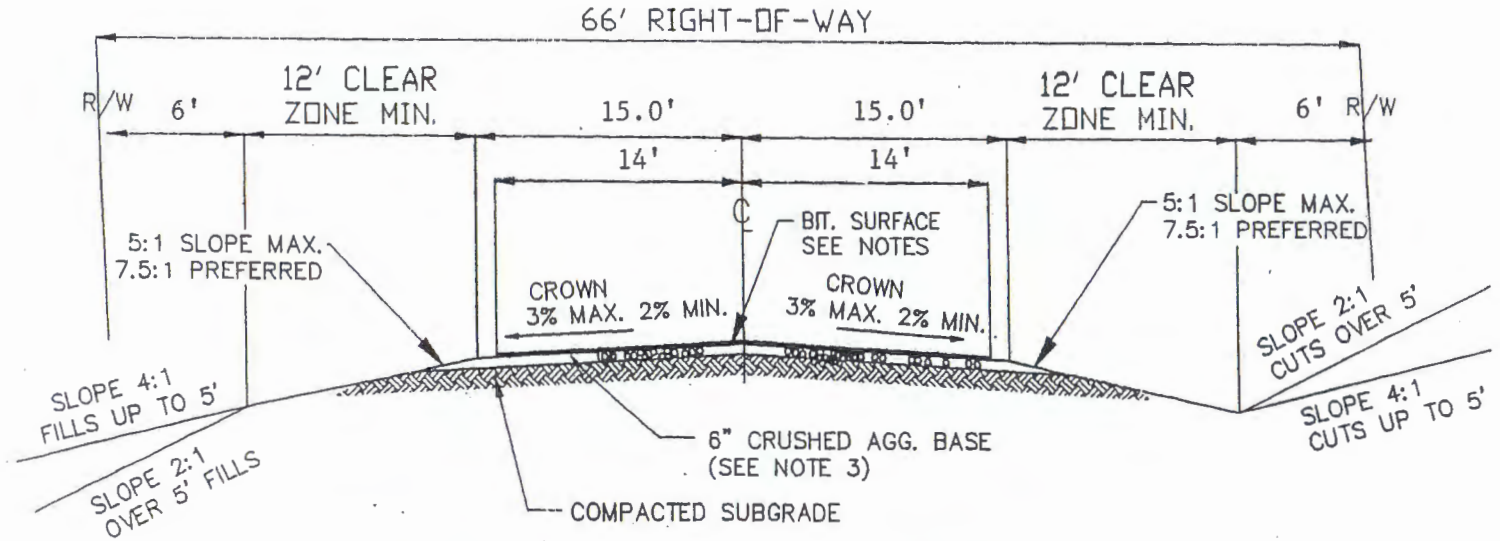
3. PART OF THE BASE COURSE MAY BE SELECTED BANKRUN MATERIAL UPON "PRIOR APPROVAL" BY THE IRON COUNTY ENGINEER.
4. FOR DESIGN STANDARDS SEE UDOT STANDARD DRAWING NOS. 815-3 AND 815-3A.
5. FOR CONSTRUCTION SPECIFICATIONS USE UDOT 1992 STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION.

DRAWN BY: K.L. NELSON DATE: JUNE, 1997 DWG. NO.: E:\ (6) APPROVED BY: S.R. PLATT	REVISIONS FEB., 2003	PROJECT IRON COUNTY ROAD DEPARTMENT	SHT. NAME CHIP SEAL SURFACE COURSE MINIMUM CROSS SECTION 66' RIGHT-OF-WAY	SHT. NO. 2



BITUMINOUS SURFACE COURSE MINIMUM ROAD CROSS SECTION 66' RIGHT-OF-WAY

1" = 10' HORIZONTAL

NOTES:

1. THE COMPACTED SUBGRADE MAY BE NATIVE MATERIAL OR IMPORTED GRANULAR MATERIAL.
2. TYPE AND THICKNESS OF THE BASE COURSE SHALL BE DETERMINED BY A SOILS REPORT & APPROPRIATE DESIGN. THE MINIMUM 6 INCH BASE COURSE SHALL BE 1 INCH MAXIMUM GRADATION IF READILY AVAILABLE. IF THE 1 INCH GRADATION IS NOT AVAILABLE THE BASE COURSE MAY BE 3/4 INCH MAXIMUM GRADATION TO UDOT STANDARDS.
3. PART OF THE BASE COURSE MAY BE SELECTED BANKRUN MATERIAL UPON "PRIOR APPROVAL" BY THE IRON COUNTY ENGINEER.
4. FOR DESIGN STANDARDS SEE UDOT STANDARD DRAWING NOS. 815-3 AND 815-3A.
5. FOR CONSTRUCTION SPECIFICATIONS USE UDOT 1992 STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION.
6. BSC THICKNESS SHALL BE DETERMINED BY APPROPRIATE PAVEMENT DESIGN.

EXHIBIT C

DRAWN BY: K.L. NELSON DATE: JUNE, 1997 DWG. NO.: APPROVED BY: S.R. PLATT	REVISIONS	PROJECT IRON COUNTY ROAD DEPARTMENT	SHT. NAME BITUMINOUS SURFACE COURSE MINIMUM ROAD CROSS SECTION 66' RIGHT-OF-WAY	SHT. NO. 3

RESOLUTION NO. 2007- 4
A RESOLUTION AMENDING THE IRON COUNTY SUBDIVISION CONSTRUCTION AND DESIGN STANDARDS

WHEREAS, the Iron County Commission finds it shall promote the general welfare of the citizens of Iron County to amend the Iron County Subdivision Construction and Design Standards to further the orderly and efficient construction of subdivisions in Iron County;

NOW, THEREFORE, BE IT RESOLVED that the Iron County Subdivision Construction and Design Standards, as adopted November 28, 2005 by the Iron County Commission, be amended as follows:

Section 104, Guarantee of Performance and **Section 108 (3), Inspection of Subdivision Infrastructure,** are hereby repealed and replaced with the following:

Section 104 Guarantee of Performance:

Before final plat approval by the County Commission, the developer/subdivider shall guarantee the completion of improvements required under this Chapter within the time frames outlined in this Section and that the improvements will be maintained in a state of good repair and free from defective material or workmanship for the period of time as specified in this Section.

(1) Type and Amount of Guarantee of Performance:

(A) All funds for every Guarantee of Performance ("Guarantee") shall be held by, deposited with, or otherwise guaranteed by a federally-insured financial institution licensed to and doing business in the State of Utah and shall be in one of the following forms:

1. A surety bond from a surety company licensed to and doing business in the State of Utah, or

2. an irrevocable letter of credit from a bank chartered under the laws of the State of Utah or the United States of America and having an office in the State of Utah, or

3. an escrow agreement having as escrow agent thereon a title company that is regulated by the State of Utah Department of Commerce. Escrow agreements consist of a commitment signed by both the escrow agent and developer/subdivider. Any interest accrued in an escrow account would belong to the developer/subdivider.

(B) The County Attorney shall approve the form of the Guarantee.

(C) The Guarantee shall be in an amount not less than 125% of the costs of the required utilities and improvements (the additional 25% is for retainage and inflation) as approved by the County Engineer.

(D) When approved by the Board of County Commissioners, the developer/subdivider may include part or all of the improvements under a Special Improvement District contract with the County.

(E) Every Guarantee shall contain at least the following:

1. A separate itemization of each type of improvement with the estimated cost thereof supplied by the developer/subdivider's engineer, and approved by the Iron County Engineer.

2. A statement that distributions of payments, to contractors and suppliers for construction work to be completed upon the subdivision, shall occur only upon written request by both the developer/subdivider and the County Engineer.

3. A statement that no more than 90% of the total amount of the Guarantee (125%) may be released prior to final acceptance.

4. A statement that, notwithstanding the itemization of type and cost of improvement, any sum available pursuant to the Guarantee may be used by the County for any other improvement covered by the guarantee as well as the specified improvement.

(2) <u>Terms and Duration</u>:

(A) Every Guarantee authorized by this Standard shall have an express term of at least two (2) years from the date of approval of the final plat of the Subdivision to which it applies, or until all improvements have been inspected and the guarantee is released by the County as provided in (3) of this Section. Further, such Guarantee shall contain language guaranteeing the performance of the developer/subdivider and a provision for the unconditional payment of the face amount of the Guarantee within ten (10) days from any declaration of default by the County.

(B) An extension of time may be granted by the Board of County Commissioners upon application by the developer/subdivider provided such application is

submitted at least 90 days prior to the expiration of the Guarantee.

(3) **Release Prior to Final Inspection, Final Inspection and Release, and Second Guarantee:**

(A) Before more than sixty percent (60%) of any item is released, the surety company, bank, or escrow agent, on behalf of the developer/subdivider, shall file with the County Engineer a statement that no material man's lien or mechanic's lien exists with regard to the improvements related to any part of the Guarantee.

(B) The developer/subdivider shall be responsible for the quality of all materials and workmanship. At the completion of the work, or not less than 30 days prior to the expiration date of the Guarantee, the County Engineer shall make a preliminary inspection of the public service facilities and shall submit a report to the County Commission setting forth the condition of such facilities. If the condition of the facilities is found to be satisfactory, the County Commission shall release the Guarantee. If the condition, material, or workmanship of the facilities shows unusual depreciation or does not comply with the acceptable standards of durability, the Board of County Commissioners may declare the developer/subdivider in default.

(C) Immediately prior to final acceptance of the improvement of the subdivision, the County shall require and receive from the developer/subdivider a second Guarantee in a form authorized under subsection (1)(A) having a term of one (1) year and a face value of ten (10%) percent of the original Guarantee. Such second Guarantee may be released at any time after the expiration of one year and, in the opinion of the County Engineer, sufficient time has elapsed to prove the satisfactory nature of the improvement and be thus so approved.

(4) **Default**: In the event the developer/subdivider is in default or fails or neglects to satisfactorily install the required utilities and improvements within one year and nine months from the date of final plat approval by the Board of County Commissioners, the County may declare the project to be in non-compliance with these standards and the County may install or cause the required improvements to be installed using the proceeds from the Guarantee to defray the expenses thereof.

(5) **Special Improvement Contracts:** In the event that the improvements are installed under a Special Improvement District contract, the planning and execution of the work shall be carried out as prescribed by laws pertaining thereto. (See Utah Code Annotated 17A-2-301 et seq., 17A-2-1301 et seq., or other subsequent applicable sections.)

Section 108 Fees, Enforcement, Permits, and Penalties:

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(3) **Inspection of Subdivision Infrastructure:** The Iron County Engineer shall inspect, or cause to be inspected, roads, fire hydrants, and water supply and sewage disposal systems during construction, installation, or repair. Excavations for roads, fire hydrants and water and sewer mains and laterals shall not be paved, covered or backfilled until such installations shall have been approved by the Iron County Engineer. If any such installation is covered before being inspected and approved, it shall be uncovered after notice to uncover has been issued to the responsible person by the County Engineer.

Before the Final Plat is recorded, the developer/subdivider shall pay to the County Treasurer an inspection fee of 1% of the County Engineer's estimated amount (the improvement amount, not including the additional 25% for retainage and inflation), to cover the cost of inspections in the subdivision.

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This resolution shall take effect upon its passage by a majority vote of the Iron County Board of County Commissioners. Nothing in this resolution shall preclude the Iron County Commission form modifying or amending this resolution at any time.

PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH this 23rd day of April, 2007.

IRON COUNTY BOARD OF COUNTY COMMISSIONERS

_____

Wayne Smith, Chairman

ATTEST:_____

David I. Yardley, County Clerk

VOTING:

Wayne Smith	_____	_____
Lois Bulloch	_____	_____
Alma Adams	_____	_____