



## Planning and Development Services

2001 S. State Street N3-600 • Salt Lake City, UT 84190-4050

Phone: (385) 468-6700 • Fax: (385) 468-6674

[www.pwpds.slco.org](http://www.pwpds.slco.org)

# Copperton Metro Township Planning Commission

## Public Meeting Agenda

### Wednesday, February 7, 2018 6:00 P.M.

#### Location

BINGHAM CANYON LIONS CLUB  
320 HILLCREST STREET  
COPPERTON, UTAH  
(385) 468-6700

*UPON REQUEST, WITH 5 WORKING DAYS NOTICE, REASONABLE ACCOMMODATIONS FOR QUALIFIED INDIVIDUALS MAY BE PROVIDED. PLEASE CONTACT WENDY GURR AT 385-468-6707.  
TTY USERS SHOULD CALL 711.*

The Planning Commission Public Meeting is a public forum where, depending on the agenda item, the Planning Commission may receive comment and recommendations from applicants, the public, applicable agencies and County staff regarding land use applications and other items on the Commission's agenda. In addition, it is where the Planning Commission takes action on these items, which may include: approval, approval with conditions, denial, continuance or recommendation to other bodies as applicable.

#### **BUSINESS MEETING**

- 1) Approval of Minutes from the December 6, 2017 and January 10, 2018 meetings
- 2) Other Business Items (as needed)

#### **PUBLIC HEARING**

**30614 – (Continued from January 10, 2018)** - An application to adopt a subdivision ordinance for each metro township, which subdivision ordinance is based upon currently existing Salt Lake County ordinance, with modifications as necessary to convert it to a metro township ordinance.

**Planner:** Curtis Woodward

**30615 – (Continued from January 10, 2018)** - An application to adopt a zoning ordinance for each metro township, which zoning ordinance is based upon currently existing Salt Lake County ordinance, with modifications as necessary to convert it to a metro township ordinance. **Planner:**

Curtis Woodward

#### **ADJOURN**

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File # 30614

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## Ordinance Summary and Recommendation

Public Body: Copperton Metro Township P.C.

Meeting Date: February 7, 2018

Request: Adoption of a Copperton Metro Township Subdivision Ordinance

Planner: Curtis Woodward

Planning Staff Recommendation: Forward a recommendation to the Metro Township Council

### PROJECT DESCRIPTION

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This ordinance project creates a Copperton Metro Township subdivision ordinance by:

1. Converting the existing County code into a Metro Township code,
2. Eliminating the section regarding foothills and canyons overlay zones, and,
3. Including the provision for electronic GIS data submittal (18.16.020) that was heard by township planning commissions in 2016 but not adopted into the code.

### NEIGHBORHOOD RESPONSE

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No public input has been received by the County Planning staff nor by testimony at the January 10, 2018 planning commission meeting.

### PLANNING STAFF RECOMMENDATION

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Planning staff recommends that the planning commission recommend approval of the ordinance to the Metro Township Council.

## **Title 18 - SUBDIVISIONS**

### **Chapter 18.04 - DEFINITIONS**

18.04.010 - Generally.

The terms used in this title shall have the respective meanings set forth in this chapter.

18.04.020 - Alley.

"Alley" means a public way which affords a secondary means of access to abutting property.

18.04.030 - Bench mark.

"Bench mark" means a mark affixed to a permanent or semi-permanent object along a line of survey to furnish a datum level.

18.04.040 - Building setback line.

"Building setback line" means a line within a lot or other parcel of land, so designated on the plat of the proposed subdivision, between which line and the adjacent boundary of the street upon which the lot abuts, the erection of an enclosed structure or portion thereof is prohibited.

18.04.050 - Collector street.

"Collector street" means a street which carries traffic from minor streets to the major street system, including the principal entrance streets of residence development and the primary circulating streets within such a development.

18.04.060 - Council.

"Council" or "~~county~~metro township council," unless otherwise clearly indicated, means the ~~Salt Lake~~Copperton County~~County~~Metro Township council.

18.04.070 - Cul-de-sac.

"Cul-de-sac" means a minor street having one open end and being terminated at the other by a vehicular turnaround.

18.04.075 - Director.

"Director" means the director of the Salt Lake County planning and development services division.

18.04.080 - Dwelling.

"Dwelling" means any building or structure, or portion thereof, intended for residential use.

18.04.090 - Easement.

"Easement" means the quantity of land set aside or over which a liberty, privilege or advantage in land without profit, existing distinct from the ownership of the land, is granted to the public or some particular person or part of the public.

18.04.100 - Engineering division.

"Engineering division" means the engineering division of the public works department of Salt Lake County.

18.04.110 - Final plat.

"Final plat" means a map or chart of a subdivision which has been accurately surveyed, and such survey marked on the ground so that streets, alleys, blocks, lots and other divisions thereof can be identified.

18.04.120 - Flood control division.

"Flood control division" means the division of flood control and water quality of the Salt Lake County public works department.

18.04.130 - Guesthouse.

"Guesthouse" means a separate dwelling structure located on a lot with one main dwelling structure intended for housing of guests or servants and not rented, leased or sold separate from the rental, lease or sale of the main dwelling.

18.04.140 - Lot.

"Lot" means a portion of a subdivision or parcel of land intended as a unit for building development or transfer of ownership.

18.04.150 - Lot width.

"Lot width" means the width of the lot measured along the minimum building setback line.

18.04.160 - Major street.

"Major street" means a street, existing or proposed, which serves or is intended to serve as a major traffic way and which is designated on the ~~County~~Metro Township Transportation Improvement Plan as a controlled-access highway, major street, parkway or by equivalent terms suitable to identify streets comprising the basic structure of the street plan.

18.04.170 - Marginal access street.

"Marginal access street" means a minor street which is parallel to and adjacent to a major street and which provides access to abutting properties and protection from through traffic.

18.04.180 - Minor street.

"Minor street" means a street, existing or proposed, which is supplementary to a collector or major street and of limited continuity, which serves or is intended to serve the local needs of a neighborhood.

18.04.190 - Owner.

"Owner" includes the plural as well as the singular, and may mean either a natural person, firm, association, partnership, private corporation, public or quasi-public corporation, or any combination thereof.

18.04.200 - Parcel of land.

"Parcel of land" means a contiguous quantity of land, in the possession of, or owned by, or recorded as the property of, the same claimant or person.

18.04.210 - Planning commission.

"Planning commission" means the ~~Salt LakeCopperton County~~Metro Township planning commission, ~~except in areas where a township exists, planning commission shall mean the township planning commission.~~

18.04.220 - Preliminary approval.

"Preliminary approval" means an approval, with or without recommended alterations, given to a preliminary plat by the planning commission and provides the necessary authority to proceed with the preparation and presentation of the final plat.

18.04.230 - Preliminary plat.

"Preliminary plat" means a map or plan of a proposed land division or subdivision.

18.04.240 - Street light.

"Street light" means a raised light installed within or adjacent to the street right-of-way, turned on or lit at a certain time every night. Modern lamps may also have light-sensitive photocells to turn them on at dusk and off at sunrise, or activate automatically in foul weather.

18.04.250 - Subdivision.

"Subdivision" means any land that is divided, resubdivided or proposed to be divided into two or more lots, parcels, sites, units, plots or other division of land for the purpose, whether immediate or future, for offer, sale, lease or development. Subdivision does not include a bona fide division or partition of agricultural land for agricultural purposes, provided that such agricultural land shall be subject to the requirements of the subdivision ordinance upon the conversion of the land from agricultural use to residential, commercial or manufacturing use. Further, this definition shall not apply to the sale or conveyance of any parcel of land which may be shown as one of the lots of a subdivision of which a plat has theretofore been recorded in the office of the county recorder. The word "subdivide" and any derivative thereof shall have reference to the term subdivision as defined in this section.

18.04.260 - Trails.

"Trails" means a system of public recreational pathways located within the ~~unincorporated county~~metro township for use by the public for walking, biking and/or horseback riding as designated.

## **Chapter 18.08 - GENERAL REGULATIONS**

18.08.010 - Procedure generally.

The planning commission shall be the land use authority for subdivisions. In order to assure that each subdivision fully complies with the provisions of this title, the director or director's designee shall administer formal application and review procedures for subdivisions. An application shall not be deemed complete until the full application, fees and all required materials have been submitted. The payment of a partial fee and submission of preliminary plans for a pre-submittal review does not constitute a complete application.

Each process shall include the following components:

A. An application procedure, which shall include:

1. Submission of an application form, as designed by the director or director's designee to clearly indicate the type of application, property address, applicant information, and other pertinent information;
2. Submission of supplementary materials, including a legal description, property plat, the required number of plans/preliminary plats, and mailing labels (if required) for notifications;
3. Payment of fees, as required under Title 3, Revenue and Finance.

B. A review procedure, which shall include:

1. An on-site review by the director or director's designee as provided by Utah Code 17-27a-303;
  2. Review of the submitted site plan/preliminary plat for compliance with ~~county~~metro township land use ordinances;
  3. Reference of the application and site plan/preliminary plat to any other government agency and/or affected entity which the director or director's designee deems necessary to protect the health, safety, and welfare of the public and to ensure the project's compliance with all applicable ordinances and codes;
  4. The processing of any exception requests that have been made in conjunction with the subdivision application.
- C. A preliminary plat approval procedure, which shall include:
1. Confirmation that all necessary agencies have responded to the requests for recommendation with a recommendation of approval or approval with conditions;
  2. Integration of the recommendations from the other government agencies and affected entities involved above into the preliminary plat;
  3. Receipt of a recommendation from the planning staff;
  4. Approval of the preliminary plat as outlined in Section 18.12.030, and issuing a preliminary plat approval letter.
- D. A final plat approval procedure, which shall include:
1. An engineering review to ensure that the final plat complies with all conditions of approval of the preliminary plat and to ensure that the final plat complies with the design standards, codes, and ordinances and with minimum engineering/surveying requirements;
  2. A check of appropriate background information, such as: lot access, property title, record of survey, field boundary verification, etc.;
  3. The collection of the necessary approval signatures (planning commission representative, director or director's designee, health department, ~~district~~metro township attorney, ~~county~~metro township ~~mayor~~council chair or their designees) on the final plat;
  4. Payment of final fees and bond;
  5. Recordation of the plat.

#### 18.08.015 - Time limits.

Subdivision applications are subject to expiration according to the following schedule unless, for good cause shown, the applicant is granted an extension of time by the director or director's designee:

- A. A subdivision application shall expire if the applicant has not filed any of the required documents for preliminary plat approval within six months of the submission of a complete application.
- B. A subdivision application shall expire if the final plat is not submitted to planning and development services within six months of the preliminary plat approval.
- C. A subdivision application shall expire if the final plat has not been signed by the ~~county~~metro township ~~mayor~~council chair within six months of the approval of the director or director's designee.
- D. A subdivision application shall expire if the final plat has not been recorded within six months of the date of the ~~county~~metro township ~~mayor~~council chair's signature on the plat.

18.08.020 - Exceptions—Permitted when.

In cases where unusual topographic, aesthetic or other exceptional conditions exist or the welfare, best interests and safety of the general public will be usefully served or protected, variations and exceptions of this title may be made by the ~~county~~metro township ~~mayer~~council chair after the recommendation of the planning commission, provided, that such variations and exceptions may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this title.

18.08.040 - Appeals.

The applicant or any person adversely affected by a final decision on a subdivision shall have the right to appeal the decision to the land use hearing officer by filing a letter to the hearing officer stating the reasons for appeal within ten days after the decision. The hearing officer shall review the record and the decision to determine whether the decision was arbitrary, capricious, or illegal. After hearing the appeal, the land use hearing officer may affirm, reverse, alter or remand the decision for further consideration.

**Chapter 18.12 - PRELIMINARY PLAT**

18.12.010 - Required information.

- A. The preliminary plat, prepared on paper twenty-one inches by thirty inches, shall contain the information specified in this section and comply with the following requirements:
  - 1. Description and Delineation. In a title block located in the lower right-hand corner the following shall appear:
    - a. The proposed name of the subdivision, which name must be approved by the planning and development services division;
    - b. The location of the subdivision, including:
      - i. Address,
      - ii. Section, township and range;
    - c. The names and addresses of the owner, the subdivider, if different than the owner, and of the designer of the subdivision;
    - d. The date of preparation, scale (no less than one inch to equal one hundred feet) and the north point.
  - 2. Existing Conditions. The plat shall show:
    - a. The location of and dimensions to the nearest bench mark or monument;
    - b. The boundary lines of the proposed subdivision indicated by a solid heavy line and the total approximate acreage encompassed thereby;
    - c. All property under the control of the subdivider, even though only a portion is being subdivided. Where the plat submitted covers only a part of the subdivider's tract, a sketch of the prospective street system of the unplatted parts of the subdivider's land shall be submitted, and the street system of the part submitted shall be considered in the light of existing general street plans, other planning commission studies and the CountyMetro Township Transportation Improvement Plan;
    - d. The location, width and names of all existing streets within two hundred feet of the subdivision and of all prior platted streets or other public ways, railroad and utility rights-of-way, parks



and other public open spaces, permanent buildings and structures, houses or permanent easements and section and corporation lines, within and adjacent to the tract;

- e. The location of all wells, proposed, active and abandoned, and of all reservoirs within the tract and to a distance of at least one hundred feet beyond the tract boundaries;
  - f. Existing sewers, water mains, culverts or other underground facilities within the tract and to a distance of at least one hundred feet beyond the tract boundaries, indicating pipe sizes, grades, manholes and exact location;
  - g. Existing ditches, canals, natural drainage channels, and open waterways and proposed realignments;
  - h. Boundary lines of adjacent tracts of unsubdivided land, showing ownership where possible;
  - i. Contour at vertical intervals of not more than two feet. Highwater levels of all watercourses, if any, shall be indicated in the same datum for contour elevations;
  - j. Nearest installed fire hydrants on or within five hundred feet of the proposed subdivision.
3. Properties Located in the Foothills and Canyons Overlay Zone. In addition to the preceding, the preliminary plat for subdivision of a property located in the foothills and canyons overlay zone shall show:
- a. A graphic depiction of existing slope characteristics of the property, illustrating the following:
    - i. Areas with slopes less than thirty percent,
    - ii. Areas with slopes thirty to forty percent,
    - iii. Areas with slopes forty to fifty percent, and
    - iv. Areas with slopes greater than fifty percent;
  - b. Identified natural hazards, including but not limited to, areas potentially subject to avalanche, liquefaction, and/or surface fault rupture;
  - c. Water courses, natural drainage channels, storm water runoff channels, gullies, stream beds, wetlands, etc.
4. Proposed Subdivision Plan. The subdivision plan shall show:
- a. The layout of streets, showing location, widths and other dimensions of (designated by actual or proposed names and numbers) proposed streets, crosswalks, alleys and easements;
  - b. The layout, numbers and typical dimensions of lots, and in areas subject to foothills and canyons overlay zone provisions, designation of buildable areas on individual lots.
  - c. Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in the subdivision;
  - d. Building setback lines, including showing dimensions where required by the planning commission;
  - e. Easements for water, sewers, drainage, utility lines and other purposes, if required by the planning commission;
  - f. Typical street cross sections and grade sheets where required by the planning commission or other interested county or metro township divisions;
  - g. A tentative plan or method by which the subdivider proposes to handle stormwater drainage for the subdivision.
- B. Where required, evidence of any agreements with adjacent property owners relative to the subdivision development shall be presented to the planning and development services division in writing prior to

its approval of the plat. These agreements shall include those relative to drainage, easements, protection strips and improvement bonds.

#### 18.12.020 - Appraisal of interested parties.

The planning commission may, by majority vote, withhold approval for one year of a preliminary plat submitted for the division of property, a part or all of which is deemed suitable by the planning commission for schools, parks, playgrounds, streets, highways or other areas for public use, after apprising the proper agencies in writing of the property owner's intent to subdivide. If any such areas proposed for public use have not been freely dedicated to the public by the owner or have not been purchased at a fair price by the proper agency within one year from the date of notification, such areas may be divided into lots and sold in accordance with the provisions of this title.

#### 18.12.030 - Preliminary plat approval or disapproval.

Following a review of the preliminary plat the planning commission shall act on the preliminary plat as submitted or modified. If the plat is approved, the director or director's designee shall sign the plat. One copy of the preliminary plat shall be provided to the subdivider. One signed copy shall be retained by the planning and development services division, and one copy of the approved plat shall be returned to the developer's engineer. If the preliminary plat is disapproved, the director or director's designee shall notify the developer in writing and give reasons for such disapproval. The receipt of a signed copy of the approved preliminary plat shall be authorization for the subdivider to proceed with the preparation of specifications for the minimum improvements required in Chapter 18.24 of this title and with the preparation of the final plat.

### Chapter 18.16 - FINAL PLAT

#### 18.16.010 - Required information.

The final plat, which must be prepared by a licensed land surveyor not in the employ of the county or metro township on a sheet of approved reproducible Mylar and made with approved waterproof black india drawing ink, with text not less than one-tenth inch in size, shall be so drawn that the top of the sheet faces either north or east, whichever accommodates the drawing best, shall contain all information required on the preliminary plat (except contours), and shall comply with the following:

- A. Description and Delineation. The final plat shall show:
  1. The approved name of the subdivision;
  2. Accurate angular and lineal dimensions for all lines, angles and curves used to describe boundaries, streets, alleys, easements, areas to be reserved for public use and other important features. Boundary lines shall be drawn heavier than street and lot lines;
  3. An identification system for all lots and blocks and names of streets. Lot lines shall show dimensions in feet and hundredths;
  4. Radii, internal angles, points and curvatures, tangent bearings and length of all arcs;
  5. The accurate location of all monuments and fire hydrants to be installed shown by the appropriate symbol. All United States, state, county, metro township or other official bench marks, monuments or triangulation stations in or adjacent to the property, shall be preserved in precise position;

6. The dedication to the ~~county~~metro township of all streets and highways included in proposed subdivisions. Subdivision monuments shall be installed prior to the improvement bond release by the subdivider's engineer or land surveyor at such points designated on the final plat as approved by the planning and development services division. ~~County s~~Standard precast monuments, rings and lids shall be furnished by the county surveyor and shall be purchased by the subdivider at the prices indicated in the county surveyor's adopted fee schedule;
7. Physical markers shall be placed at each lot corner in accordance with state statutes;
8. Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, with the purposes indicated thereon, and of any area to be reserved by deed or covenant for common uses of all property owners;
9. Where it is proposed that streets be constructed on property controlled by a public agent or utility company, approval for the location, improvement and maintenance of such streets shall be obtained from the public agency or utility company and entered on the final plat in a form approved by the attorney.

B. Standard Forms for the Following. The final plat shall require:

1. A registered land surveyor's certificate of survey;
2. The owner's certificate of dedication;
3. A notary public's acknowledgement;
4. The planning commission's certificate of approval;
5. The health department's certificate of approval;
6. The planning and development services division's certificate of approval;
7. The district attorney's certificate of approval;
8. The ~~county~~metro township ~~mayer~~council chair's certificate of approval;
9. A one and one-half by five-inch space in the lower right-hand corner of the drawing for the county recorder's use.

18.16.020. Final approval – GIS data required.

A. Prior to the final approval and the issuance of any building permit associated with a subdivision or development plan, or in the case of a single lot development, a single building permit, the owner or developer shall provide to County a GIS data corresponding to the approved plans for all improvements required by Chapter 18.16.020(B). Any changes during construction will require additional GIS data to be submitted with the final approved as-built drawings. All GIS data shall be submitted in the following format:

1. All GIS data shall be submitted in conformance with County Policy 1013, "Standards for Geographic Information System" and the "Salt Lake County Public Works Engineering GIS Standards," as approved by the Salt Lake County GIS Steering Committee and on file with Salt Lake County Engineering. The County reserves the right to reject any GIS data that is provided and is not in compliance with the above standards.
2. This shall be done at the developer or owner's expense. If a developer or owner does not provide the required GIS data, the County may complete the work in the developer or owner's behalf and the developer or owner shall pay to the County the cost of completing the work at the hourly rate approved by the County Council for such work. If developer or owner fails to pay for such work, the County may pursue legal action to recover these costs.

3. Developers with a cost as estimated by the public works department of ten thousand dollars (\$10,000.00) or less may, prior to construction, petition the Division for an exemption from the GIS requirements of this Chapter. The decision of the Public Works Director shall be final.

B. GIS data will be required for the following improvements:

1. Roadway system: Regulatory signs, street signs, centerlines, curb and gutter, sidewalks, crosswalks, ADA ramps, striping, road width, and monuments; Streetlights and signals (including conduit and electrical boxes for streetlights and signals)

2. Storm drain system: Catch basins, manholes, detention basin inlets and outlets, culverts, detention basin area, stormwater quality BMPs, and pipes

## **Chapter 18.18 - SUBDIVISION AMENDMENTS**

18.18.010 - Purpose.

This chapter establishes review and approval procedures for subdivision amendments and boundary line adjustments.

18.18.020 - Boundary line adjustments—Exempt from platting requirement.

A subdivision plat is not required for any of the following:

- A. A recorded agreement between owners of adjoining properties adjusting their mutual boundary if:
  - 1. No new lot is created; and
  - 2. The adjustment does not violate applicable zoning ordinances.
- B. A recorded document, executed by the owner of record that:
  - 1. Revises the legal description of more than one contiguous unsubdivided parcel(s) of property into one legal description encompassing all such parcels of property; or
  - 2. Joins a subdivided parcel of property to an unsubdivided parcel of property and does not violate applicable zoning ordinances.
- C. The consolidation of two or more subdivided lots for the purpose of developing them as one lot, provided:
  - 1. The consolidation does not affect an existing street, alley, walkway, or right-of-way; and
  - 2. No public utility, drainage, or trail easements exist along the mutual boundary of any two lots being consolidated.

18.18.030 - Boundary line adjustments—Review.

Boundary line adjustments that are exempt from subdivision platting requirements are subject to a planning division review process which shall include:

- A. Submission of an application; including an application form, application fee, survey/legal descriptions of the proposed adjustment, and other supplemental materials;
- B. Review of the application materials for accuracy and for compliance with applicable zoning ordinances;

- C. Issuance of a written approval or denial from the planning and development services division with stated reasons;
- D. Recordation of an appropriate document in the office of the county recorder if the application is approved.

#### 18.18.040 - Amendments to create additional lots.

An amendment to a recorded subdivision to create one or more additional lots or which involves vacating or altering a public street or alley shall follow the approval procedure outlined in Section 18.08.010 subject to the following additional requirements:

- A. A preliminary plat approval must be received from the planning commission prior to action being taken by the ~~county metro township mayor~~ council chair; and
- B. A public hearing must be held by the ~~county metro township mayor~~ council chair or his or her designee, in compliance with Utah Code 17-27a-608, prior to the plat amendment being approved or denied.

#### 18.18.050 - Other amendments to subdivisions.

An amendment to a recorded subdivision that involves the alteration or removal of an easement, private right-of-way, condition, limitation, or special requirement shall follow the approval procedure outlined in Section 18.08.010 with the following variations:

- A. Only those persons or entities who have a direct interest in, or who will be directly affected by the proposed change (including the applicant) must be notified of any pending action; and
- B. No preliminary plat need be approved. The recommendations of the affected entities and the approval of the planning commission may be based on a final plat.

#### 18.18.060 - Correction of technical errors.

An amendment to correct a technical error, such as misnumbered street addresses or an errant note on the plat may be done through recording an affidavit of correction by the director or director's designee.

### **Chapter 18.20 - DESIGN STANDARDS**

#### 18.20.010 - Departmental standards.

Standards for design, construction specifications and inspection of street improvements, curbs, gutters, sidewalks, storm drainage and flood control facilities shall be prepared by the engineering division; standards for water distribution and sewage disposal facilities shall be prepared by the health department, and similar standards for fire hydrants shall be prepared by the fire department. All subdividers shall comply with the standards established by such departments and agencies of the ~~county metro township~~, provided that such standards shall be approved by the ~~county metro township~~ council.

#### 18.20.020 - Design standards generally.

The design of the preliminary and final plats of the subdivision in relation to streets, blocks, lots, open spaces and other design factors shall be in harmony with design standards recommended by the planning commission and by other departments and agencies of ~~county~~metro township government. Design standards shall be approved by the ~~county~~metro township council and shall include provisions as provided in Sections 18.20.030 through 18.20.050.

~~18.20.025 - Design standards for subdivisions located in the foothills and canyons overlay zone.~~

- ~~A. Design Shall Further Purposes and Goals of Overlay Zone. In subdivisions proposed for development in the foothills and canyons overlay zone (see Chapter 19.72 in Title 19, Zoning), the general layout of lots, roads, driveways, utilities, drainage facilities, and other services within the proposed subdivision shall be designed in a way that minimizes the amount of land disturbance, maximizes the amount of open space in the development, preserves existing trees/vegetation, protects critical wildlife habitat, and otherwise accomplishes the purposes and intent of the foothills and canyons overlay zone.~~
- ~~B. Consider/Apply Zoning Development Standards. Applicants shall consider and apply the development standards set forth in Chapter 19.72 in (1) the layout of the subdivision and (2) the designation of buildable areas on individual lots (see subsection C of this section) in order to avoid creating lots or patterns of lots that will make compliance with such development standards difficult or infeasible.~~
- ~~C. Designations of Buildable Areas. All preliminary and final subdivision plats shall outline buildable areas on each lot intended to accommodate planned principal and accessory structures.~~
- ~~D. Clustering of Lots. Clustering of lots within a subdivision is strongly encouraged and may be required by the planning commission to meet the requirements of this provision and the overlay zone.~~

18.20.030 - Blocks.

- A. Blocks shall not exceed one thousand six hundred feet in length.
- B. Blocks shall be wide enough to adequately accommodate two tiers of lots.
- C. Dedicated walkways through the block may be required where access is necessary to a point designated by the planning commission. Such walkways shall be a minimum of six feet in width, but may be required to be wider where determined necessary by the planning commission. The subdivider shall surface the full width of the walkway with a concrete surface, install a chain-link fence or its equal four feet high on each side and the full length of each walkway and provide, in accordance with the standards, rules and regulations, barriers at each walkway entrance to prevent the use of the walkway, by any motor vehicle or by any other nonmotorized vehicle wider than four feet.
- D. Blocks intended for business or industrial use shall be designed specifically for such purposes with adequate space set aside for off-street parking and delivery facilities.

18.20.040 - Lots.

- A. The lot arrangement and design shall be such that lots will provide satisfactory and desirable sites for buildings and be properly designed according to topography, the character of surrounding development, and to existing requirements.
- B. All lots shown on the preliminary and final plats must conform to the minimum requirements of the zoning title, if any, for the zone in which the subdivision is located, and to the minimum requirements of the health department for water supply and sewage disposal.
- C. Each lot shall abut on a street shown on the subdivision plat or on an existing publicly dedicated street which has become public by right of use and which is more than twenty-six feet wide, or have an

approved access via private right-of-way to a public street shown on the plat. Double frontage lots shall be prohibited except where unusual conditions make other designs undesirable.

- D. Side lines or lots shall be approximately at right angles, or radial to the street lines.
- E. In general, all remnants of lots below minimum size must be added to adjacent lots, rather than allowed to remain as unusable parcels.

#### 18.20.050 - Protection strips.

Where subdivision streets parallel contiguous property of other owners, the subdivider may, upon approval of the planning commission, retain a protection strip not less than one foot in width between the street and adjacent property; provided, that an agreement, approved by the attorney, has been made by the subdivider, contracting to deed to the then owners of the contiguous property, the one-lot or larger protection strip for a consideration named in the agreement; such consideration to be not more than the fair cost of land in the protection strip, the street improvements properly chargeable to the contiguous property, plus the value of one-half the land in the street at the time of agreement, together with interest at a fair rate from the time of agreement until the time of the subdivision of such contiguous property. One copy of the agreement shall be submitted by the attorney to the planning commission prior to approval of the final plat. Protection strips shall not be permitted at the end of or within the boundaries of a public street or proposed street or within any area intended for future public use.

#### 18.20.060 - Overpressure area.

Subdivisions within the 0.2 and 0.3 PSI overpressure areas as defined in Section 15.14.010 and shown on the special development standards areas map shall be designed, to the extent possible, to orient the side yards of the lots toward the center of the overpressure areas. This lot orientation (in conjunction with the manner in which the structure is placed on the lot, the design of the structure, and the type, location, and size of glass surfaces in the structure) is intended to reduce the possibility of damage within the overpressure area in the event of an accidental explosion. New subdivisions shall not be approved in the 0.5 PSI overpressure area. The special development standards areas map is available in the planning and development services division office during regular office hours.

### **Chapter 18.24 - REQUIRED IMPROVEMENTS**

#### 18.24.010 - Certification of improvements.

No final plat of a subdivision of land shall be recorded without receiving a statement signed by the planning and development services division certifying that the improvements described in the subdivider's plans and specifications have been completed (or that a bond has been submitted for the required improvements as allowed under Section 18.24.170), that they meet the minimum requirements of all ordinances of the ~~county~~metro township, that they comply with the standards and requirements of the health department, the planning and development services division, the planning commission and the fire authority serving the area.

#### 18.24.020 - Sewers.

Storm sewers shall be constructed throughout the entire subdivision to carry off water from all inlets and catchbasins, and shall be connected to an adequate outfall. A stormwater drainage system subject to the approval of the planning and development services division shall be provided, and shall be separate

and independent of the sanitary sewer system. The final plans for the drainage system shall be prepared by a licensed engineer not in the employ of the county or metro township.

#### 18.24.025 - Public sanitary sewer.

- A. Where public sewer service is available to the subdivision, a public sanitary sewer system, including main lines and laterals from the main to each lot property line, shall be constructed throughout the entire subdivision in accordance with plans and technical standards required by the entity providing public sewer service to the subdivision and shall be connected to the public sewer system.
- B. In cases where public sewer service is not presently available to the subdivision, alternate waste disposal systems may only be permitted and used provided that the subdivider or developer installs and constructs concurrently therewith sanitary sewer laterals and mains within the subdivision streets to a point on the subdivision boundary where future connection with the public sewer system shall be made. Sewer laterals shall be laid from each lot to the main line in each street, and a connection shall be available on each lot to connect from the alternate waste disposal systems to the sewer system when public sewer becomes available and operational. Such sanitary sewer system shall be capped until ready for use and shall be constructed throughout the entire subdivision in accordance with plans and technical standards required by the entity that will provide public sewer service to the subdivision in the future.
- C. The ~~county~~metro township mayor/council chair may exempt the subdivider from the requirements of this section upon a finding that public sewer service is unlikely to be provided to the subdivision in the future due to physical inaccessibility of the terrain. Prior to making a decision concerning a requested exemption, the ~~county~~metro township mayor/council chair shall request a written recommendation from the planning commission, a county or metro township engineer, and from the entity most likely to provide sewer service to the area in which the subdivision is located.

#### 18.24.030 - Storm drainage.

No ditch or canal shall be approved as suitable for the use of storm drainage water without the written permission of the appropriate ditch or canal company or of the water users for such use. No ditch or canal shall be used for stormwaters unless adequately improved to handle such water as might be reasonably expected to flow from canal and ditch water, subdivision runoff water, and other water expected to reach such canal or ditch. No ditch, canal or other waterway shall be permitted within property dedicated or to be dedicated for public use. The subdivider shall remove such waterways from property to be so dedicated prior to the construction of required off-site improvements.

#### 18.24.040 - Street improvements.

- A. The subdivider shall submit a complete set of construction plans and profiles of all streets, existing and proposed, within the subdivision to the planning and development services division. Plans and profiles are to be prepared by a ~~licensed~~ professional engineer licensed to practice in the state of Utah and not in the employ of the county or metro township and shall be accompanied by the final plat. The subdivider must also provide a GIS data corresponding to the submitted plans as required by Chapter 18.16.020. The planning and development services division shall, within a reasonable time not to exceed twenty days from the receipt of the plans and profiles, notify the subdivider of approval, and in case of disapproval the reasons therefor.
- B. At least ten days prior to the commencement of construction, the subdivider shall furnish to the planning and development services division three complete sets of approved construction plans and profiles of all streets, existing and proposed as well as all corresponding GIS data in a format compatible with this ordinance. Such plans and profiles shall include:



1. The designation of limits of work to be done;
2. The location of the bench mark and its true elevation according to County Policy 1013, "Standards for Geographic Information System" and the "Salt Lake County Public Works Engineering GIS Standards," ~~county datum,~~ all profiles to be referred to in those standards~~that datum;~~
3. Profiles which indicate the finished and existing grades for each side of the street. Separate profiles, clearly designated, shall be made for each side of the street;
4. Construction plans which include the details of curb and gutter and street cross-sections, location and elevation of manholes, catchbasins and storm sewers, elevations and location of fire hydrants and any other detail necessary to simplify construction;
5. Complete date for field layout and office checking;
6. On curb returns, at least two additional control points for elevation besides those at points of curvature. Control points shall be staked in the field to insure drainage at intersection;
7. The street address of the project as approved by County; Planning Number, and subdivision name if applicable.

#### 18.24.050 - Arrangement of streets.

The arrangement of streets in new subdivisions shall make provision for the continuation of the existing streets in adjoining areas and shall provide access to unsubdivided adjoining areas insofar as such continuation or access shall be deemed necessary by the planning commission. New streets must connect with existing public streets.

#### 18.24.060 - Utility and facility systems to be underground.

All utility and facility systems including, but not limited to, all poles, towers, wires, lines, cables, conduits, and pipes providing service such as electricity, telephone, telegraph, cable television, gas, water, sewer, steam or petroleum including service drops, distribution systems, and transmission systems shall be placed underground in accordance with county metro township ordinances and policies. (Refer to Chapter 19.79 of this code, Utility and Facility System Placement Regulations.)

#### 18.24.070 - Street lighting.

Except as provided for in subsection E below, adequate street lighting shall be provided for the safety and welfare of residents and businesses located in Salt LakeCopperton CountyMetro Township through the installation of a street lighting system as part of subdivision development.

All street lights intended to illuminate the public street shall be installed in accordance with the "Standard Specifications for Street Light Construction" as established and approved by the public works operations director or designee. Street light systems shall be designated on approved plats and installed accordingly.

- A. For all residential, multi-family residential, planned unit development, commercial, and industrial subdivision developments approved after the effective date of this ordinance, the subdivider shall install and pay the installation costs for street lights as shown on the approved subdivision plat or site plan and to post a bond, pursuant to section 18.24.170, guaranteeing proper installation. The subdivider must also provide a dedicated public utility easement from each respective underground power source to each streetlight.
- B. Items to be approved pursuant to the requirements of the "Standard Specifications for Street Light Construction" include:

1. Appropriate distance or spacing;
  2. Alternating sides of street, when applicable;
  3. Appropriate illumination at intersections;
  4. Location upon the property;
  5. Street light type and decorative style based on street classification;
  6. Height based on location;
  7. Installation methods and requirements; and
  8. Illumination intensity, electrical specifications, and code requirements as determined by the "Standard Specifications for Street Light Construction".
- C. The subdivider or designee shall submit completed as-built drawings and the GIS data corresponding to the as-built drawings, as required by Section 18.24 to the public works operations director or designee within thirty days of the completion of the installation of a street light system within a subdivision development.
- D. The public works operations director or designee shall have the authority:
1. To enforce this section and to ensure that street light installation is completed in compliance with all of its requirements; and,
  2. To vary the standards referenced in this section and to approve alternative street light designs and locations when adverse topography, roadway geometrics and design, the presence of natural vegetation, or any other adverse conditions exist which would justify such variations and alternatives without being detrimental to the public safety or welfare.
- E. The planning commission shall have the authority to waive or modify the requirement for street light installation in subdivisions upon finding that:
1. The subdivision is located in an environmentally sensitive area, such as the Foothills and Canyons Overlay Zone; or,
  2. The subdivision will result in three or fewer new lots; or,
  3. The subdivision will not result in any other public street improvements.

18.24.080 - Pavement requirements.

- A. All streets within the county metro township shall be improved with pavements bounded by integral concrete curbs and gutters to an overall width in accordance with the standards, rules and regulations adopted by the county metro township council.
- B. Pavements shall be constructed in accordance with the requirements of the standards, rules and regulations adopted by the county metro township council.

18.24.090 - Curbs and gutters.

- A. After October 7, 1963, curbs and gutters on all streets shall be concrete of the standard high-back-type unit, not less than two feet, six inches in overall width, and not less than seven inches thick where the curb abuts the street pavement.
- B. All curb corners shall have a radius of not less than twenty-five feet or thirty-five feet on streets designated as collector or arterial streets.
- C. The subdivider shall install curbs, gutters and sidewalks on existing and proposed streets in all subdivisions.

#### 18.24.100 - Street name signs.

Street name signs, conforming to the design and specifications and in the number provided by the standards, rules and regulations of the operations division, shall be provided by the developer at all street intersections. Installation shall be made by the operations division to insure uniformity.

#### 18.24.105 - Trails.

The subdivider shall dedicate trails necessary to provide public access to public lands and other trails shown on the ~~county~~metro township general plans or required by the planning commission. Trails shall be located so that the route is feasible for both construction and long-term maintenance; sideslopes shall not exceed seventy percent and rock cliffs and other insurmountable physical obstructions shall be avoided. The specific location of the trail right-of-way shall be verified on the ground before approval of the subdivision. The amount of land required for trail dedication without compensation shall not exceed five percent of the land within the subdivision excluding trails located within a standard street right-of-way.

#### 18.24.110 - Fire hydrants.

Fire hydrants shall be installed in all subdivisions in accordance with the regulations of the fire department.

#### 18.24.120 - Stormwater inlets and catchbasins.

Stormwater inlets and catchbasins shall be provided within the roadway improvements at points specified by the planning and development services division.

#### 18.24.130 - Open ditches and canals—Permitted when.

Open ditches or canals shall not be allowed within or adjoining a subdivision except along rear or side lot lines. The subdivider shall work with irrigation, drainage or ditch companies as to:

- A. Methods of covering, realigning or eliminating ditches or canals within or adjoining the subdivision;
- B. The size of pipe and culverts required;
- C. The responsibility for the periodic inspection, cleaning and maintenance of such ditches, pipes and culverts. In cases where canals or ditches cross public roads or proposed public roads, specifications and grades for pipe or culvert must be approved by the planning and development services division.

#### 18.24.140 - Open ditches and canals—Fencing requirements.

The subdivider shall install a six-foot, nonclimbable chain-link fence, or its equivalent, in conformance with the standards and rules and regulations adopted as provided in Section 18.20.010, along all open ditches, canals or waterways, nonaccess streets, open reservoirs or bodies of water, railroad rights-of-way and other such features of potentially hazardous nature on, crossing or contiguous to the property being subdivided, except along those features which the planning commission shall determine would not be a hazard to life, or where the conforming structure would create a hazard to the safety of the public.

18.24.145 - Fencing requirements.

Where lots rear on a public street the developer shall install fencing along the street right-of-way which is:

- A. Uniform in design and materials within the subdivision;
- B. A solid visual barrier screening;
- C. A minimum of six feet high from the top of curb or, if there is no curb, from the crown of the street;
- D. Maintained by the abutting property owner;
- E. Constructed with a sealant placed on any masonry fence to help with the removal of graffiti and to preserve the surface;
- F. Constructed according to development standards approved by the planning commission;
- G. Placed on the property line with the space between the fence and the sidewalk hard surfaced or planted with a perennial, climbing, groundcover and a sprinkling system.

18.24.150 - Construction of improvements.

- A. Twenty-four hours prior to construction of any required improvements, the ~~county~~ planning and development services division shall be notified so that proper inspection may be provided and so that it may be determined whether or not proper authorization and/or required permits for construction have been obtained.
- B. As-built plans, ~~and~~ profile drawings, and corresponding GIS data shall be furnished to the planning and development services division of all street improvements, storm sewer, sanitary sewer and water systems upon completion. The ~~county~~metro township shall retain the improvement bond until such plans have been submitted.
- C. Extreme care should be exercised on the part of the subdivider, the contractor and all other associated agencies for the protection and maintenance of all existing or newly placed improvements or facilities within the roadway sections during development.

18.24.160 - Responsibility for damages.

All damages to any bonded improvements or facilities incurred during the period of development shall be the sole responsibility of the subdivider and must be replaced to the satisfaction of the ~~county~~metro township before final acceptance of any improvements caused by the subdivider or any agents of the subdivider shall be repaired by the subdivider to the satisfaction of the ~~county~~metro township prior to final acceptance and bond release.

18.24.170 - Performance bonds.

- A. In lieu of actual completion of the improvements listed in this chapter, subdividers ~~may~~shall file with the ~~county~~metro township a surety or cash bond, an escrow agreement, or a letter of credit in an amount specified by the ~~mayor~~council chair or ~~mayor~~council chair's designee to assure actual construction of such improvements within a two-year period. ~~Twenty-five~~A percentage, equal to the maximum amount allowed by state law, of the bond amount for public improvements such as curb, gutter, sidewalk, road surfacing, flood control and fire hydrants shall extend for a one-year period beyond the date the improvements are completed to guarantee replacement of defective public improvements. A percentage, equal to the maximum amount allowed by state law,~~Twenty-five percent~~

of the bond amount for live plant materials in common areas shall extend for a the maximum period allowed by state law~~two-year period~~ beyond the date of planting to guarantee replacement of diseased or dead plants. The bond or agreement shall also secure all lot improvements on individual lots on the subdivision which are required in this chapter.

- B. If the mayercouncil chair or mayercouncil chair's designee determines that the required improvements should be completed in a specified sequence and/or in less than ~~a two-year~~this period in order to protect the health, safety and welfare of the countymetro township or its residents from traffic, flood, drainage or other hazards, it may require in approving the final subdivision plat that the improvements, including required landscaping be installed in a specified sequence and period which may be less than ~~two-year~~this period and shall incorporate such requirements in the bond.
- C. Inspections shall be made within five days from the date of the request. If inspection shows that countymetro township standards and specifications have been met in the completion of such improvements, the bond shall be released by the mayercouncil chair or mayercouncil chair's designee within seven days from the time of inspection and filing of the as-built plan, any corresponding GIS data (as required), and profile drawings. If the bonds are not released, refusal to release and the reasons therefor shall be given the subdivider in writing within seven days from the time of the inspection.
- D. Such bonds shall be processed and released in accordance with the procedures set forth in Chapter 3.56 of this code.

#### 18.24.180 - Exemptions.

Churches and educational institutions shall, upon the submission of a letter guaranteeing the improvements required by this chapter, be exempt from the provisions of Section 18.24.170.

#### 18.24.190 - Fee in lieu of required improvements.

- A. Where present conditions exist which make it unfeasible or impractical to install any required public improvements, the mayercouncil chair or mayercouncil chair's designee may require the subdivider to pay to the countymetro township a fee equal to the estimated cost of such improvements as determined by the director of planning and development services. Upon payment of the fee by the developer, the countymetro township shall assume the responsibility for future installation of such improvements.
- B. The auditor shall establish a special account for such fees and shall credit to such account a proportioned share of interest earned from investment of countymetro township moneys. Records relating to identification of properties for which fees have been collected, fee amounts collected for such properties and money transfer requests shall be the responsibility of the planning and development services division.

### Chapter 18.30 - FILING PROFESSIONAL SURVEYS

#### 18.30.010 - Filing required, indexing and fees.

- A. Any registered professional land surveyor making a survey of private lands within this state who establishes or reestablishes any private property boundary monument shall file a map of the survey that meets the requirements of this chapter with the county surveyor within ninety days of the establishment or reestablishment of the boundary monument.

- B. The county surveyor shall file and index the map of the survey which will thereafter be a public record in the office of the county surveyor and will be available for examination by the public. The county surveyor will provide facilities for copying such maps and associated documents.
- C. The fee to be charged and collected by the county surveyor for filing and indexing a map of survey will be ten dollars.
- D. The following fees are approved for copying service. They will be posted conspicuously in the surveyor's office. (They are subject to change as approved by the [county metro township](#) council.)

1. Copies of map of survey	\$2.00
2. Large (3 ½' by 4 ½') <a href="#">county metro townshipwide</a> maps	5.00
3. Area reference plats	2.00
4. Legal or letter size copies	0.50

- E. The requirements of this section are in addition to Chapter 14.17, Excavation Permit for Monuments.

18.30.020 - Contents of maps.

- A. The county surveyor will screen maps of survey that are submitted to him to ensure that they conform to the requirements set forth in this chapter before receiving them. Such maps shall be drawn on a twenty-four-inch by thirty-six-inch linen and shall show:
  - 1. The location of survey by quarter section and township and range;
  - 2. The date of survey;
  - 3. The scale of drawing and north point;
  - 4. The distance and course of all lines traced or established, giving the basis of bearing and the distance and course to a section corner or quarter corner, including township and range, or an identified monument within a recorded subdivision;
  - 5. All measured bearings, angles and distances separately indicated from those of record;
  - 6. A written boundary description of property surveyed;
  - 7. All monuments set and their relation to older monuments found;
  - 8. A detailed description of monuments found and monuments set, indicated separately;
  - 9. The surveyor's seal or stamp;
  - 10. The surveyor's business name and address.

18.30.030 - Written narrative.

- A. The map of survey will include a written narrative either on the map itself or on a separate document. If on a separate document, such narrative will be typed on eight-and-one-half-inch by eleven-inch white paper of a permanent nature on stable base. The narrative will include:
  - 1. An explanation of the purpose of the survey;
  - 2. The basis on which the lines were established; and

3. The found monuments and deed elements that controlled the established or reestablished lines;
  4. The location of the survey by quarter section and by township and range;
  5. The date of the survey;
  6. The surveyor's stamp or seal; and
  7. The surveyor's business name and address.
- B. The map and narrative will be referenced to each other if they are separate documents.

18.30.040 - Marking monuments.

- A. Any monument set by a registered professional land surveyor to mark or reference a point on a property of land or land line shall be durably and visibly marked or tagged with the registered business name or the letters "L.S." followed by the registration number of the surveyor in charge.
- B. If the monument is set by a public officer, it shall be marked with the official title of the office.

18.30.050 - Changes of section or quarter section corners.

- A. If, in the performance of a survey, the surveyor finds or makes changes in the section corner or quarter-section corner, or their accessories as they are described in an existing corner record or survey map in the office of the county surveyor, the surveyor shall complete and submit to the county surveyor a record of the changes needed to be made to any corner or accessories to the corner.
- B. The record shall be submitted within forty-five days of the corner visits and shall include the surveyor's seal, business name, and address.

18.30.060 - Compliance by governmental agencies.

Any federal or state agency, board or commission, special district, or municipal corporation that makes a survey of lands within Salt LakeCopperton CountyMetro Township shall comply with this chapter.

18.30.070 - Amendment by affidavit.

- A. Any survey map or narrative filed and recorded under the provisions of this chapter may be amended by an affidavit of corrections:
  1. To show any courses or distances omitted from the map or narrative;
  2. To correct an error in the description of the real property shown on the map or narrative; or
  3. To correct any other errors or omissions where the error or omission is ascertainable from the data shown on the map or narrative as recorded.
- B. The affidavit of correction shall be prepared by the registered professional land surveyor who filed the map or narrative.
- C. In the event of the death, disability or retirement from practice of the surveyor who filed the map or narrative, the county surveyor may prepare the affidavit of correction.
- D. The affidavit shall set forth in detail the corrections made.
- E. The seal and signature of the registered professional land surveyor filing the affidavit of correction shall be affixed to the affidavit.

18.30.080 - County surveyor certification.

- A. The county surveyor having jurisdiction of the map or narrative shall certify that the affidavit of correction has been examined and that the changes shown on the map or narrative are changes permitted under this section.
- B. Nothing in this section permits changes in courses or distances for the purpose of redesigning parcel configurations.

18.30.090 - Penalty.

Failure to file a map of survey as required in this chapter shall be a Class C misdemeanor and shall be punishable by imprisonment not exceeding ninety days and/or a fine not exceeding five hundred dollars.

## **Chapter 18.32 - HEALTH DEPARTMENT REGULATIONS**

18.32.010 - Adoption of health regulations.

The provisions of the health department Health Regulation No. 12, entitled "Subdivisions," as currently adopted by the board of health under authority of the Utah State Code are incorporated in their entirety by reference. Three copies of the current regulations shall be filed with and retained by the county clerk and the health department for examination by any person.

18.32.020 - Violations.

Violation of any provision of any health regulation incorporated into this title shall constitute a Class B misdemeanor as defined by the Utah State Code. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punished as such.

## **Chapter 18.36 - FEES, ADMINISTRATION AND ENFORCEMENT**

18.36.010 - Building permit issuance.

From the time of the effective date of the ordinance codified in this title, the building inspector shall not grant a permit, nor shall any county or metro township 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 would be in violation of any provisions of this title until a subdivision plat therefor has been recorded or approved as required in this chapter. Any license or permit issued in conflict with such provisions shall be void.

18.36.020 - Filing fee.

Any and all persons filing plats with the county recorder shall first have paid all fees required in this title. In addition, persons filing plats shall pay to the planning and development services division prior to recording, an office checking fee as provided for in Section 3.48.020.



18.36.030 - Inspections.

Appropriate agencies and departments of the countymetro township shall inspect or cause to be inspected all buildings, street improvements, fire hydrants and water supply and sewage disposal systems in the course of construction, installation or repair. Excavations for the fire hydrants and water and sewer mains and laterals shall not be covered or backfilled until such installation shall have been approved by the planning and development services division. 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 inspector.

18.36.040 - Enforcement authority.

The planning and development services division, the fire department, the highway division, the planning commission, and such other departments and agencies of countymetro township government as are specified under the provisions of this title are designated and authorized as the agencies charged with the enforcement of the provisions of this title and shall enter such actions in court as are necessary. Failure of such departments to pursue appropriate legal remedies shall not legalize any violation of such provisions.

**Chapter 18.40 - VIOLATIONS AND PENALTIES**

18.40.010 - Prohibited acts.

No person shall subdivide any tract or parcel of land located wholly or in part in the countymetro township except in compliance with the provisions of this title. No person shall purchase, sell or exchange any parcel of land that 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 this title.

18.40.020 - Violation—Penalty.

Whoever shall violate any of the provisions of this title, including the violation of a condition, limitation or requirement contained on a recorded subdivision plat, shall be guilty of a misdemeanor and, upon conviction of any such violation, shall be punished as provided by the state criminal code for Class B misdemeanors.