

SUBDIVISION RULES AND REGULATIONS DEKALB COUNTY, ALABAMA

ADOPTED MAY 22, 2007

SECTION I

1. PURPOSE AND POLICY

The subdivision regulations set out herein have been adopted pursuant to authority granted by Code of Alabama 1975, § 11-24-1(b) to establish procedures and standards for the design and development of proposed subdivisions or additions to existing subdivisions within the subdivision jurisdiction of DeKalb County, Alabama. These regulations shall be applicable to the development of any subdivision within the county's subdivision jurisdiction, and shall include, at a minimum, the minimum size of lots, the planning and construction of all public roads, drainage structures, and proper placement of public utilities to be located in a subdivision. Additionally, these regulations shall also apply to the county's plat approval for developments within the territorial jurisdiction of a municipal planning commission; provided, however, that in such instance, the County's approval shall be limited to the approval required in Code of Alabama 1975, § 11-52-30(b) regarding approval of plats.

By Resolution 07-0522-03 of the DeKalb County Commission, adopted on the 22nd day of May, 2007, and pursuant to the powers and jurisdiction granted by Code of Alabama 1975, § 11-24-1 et seq., the DeKalb County Commission does hereby set a policy to exercise the power and authority to review, approve, and disapprove plats for all subdivisions within the subdivision jurisdiction of DeKalb County, Alabama. The DeKalb County Commission further does hereby exercise the authority to inspect any development within its subdivision jurisdiction to ensure that there are no violations of its rules and regulations, to charge fees for said inspection as set out in Section 1-3 of these regulations and authorized under Code of Alabama 1975, § 11-24-3, and to enforce these regulations as provided in Section 1-4 and authorized in Code of Alabama 1975, § 11-24-3.

The regulations set out herein shall be in force and applicable to the development of all subdivisions in the subdivision jurisdiction of the DeKalb County Commission from and after the date of adoption by resolution. Subdivision regulations previously in place in DeKalb County are hereby repealed and rescinded.

These regulations shall be in effect and shall apply to the development of any subdivision within the subdivision jurisdiction of DeKalb County as defined in Section 2-1-60 from and after thirty (30) days from the date of the County's filing a certified copy of these regulations with the Probate Judge. No road(s) shall be accepted and maintained by the County, nor shall any utilities or county services be extended to the subdivision, unless and until the requirements set forth in these regulations have been complied with and the subdivision has been given final approval by DeKalb County.

It is not the purpose of these regulations to govern the acceptance of roads for maintenance by the County Commission. The current policy for acceptance of roads and bridges by the DeKalb County Commission is available at the office of the County Engineer.

2. INSPECTION FEES

- (1) Minor Subdivision Fee: \$350 plus \$35 per lot, or
- (2) Major Subdivision Fee: \$700 plus \$70 per lot plus \$ 0.35/ linear foot of new road to be constructed.

All fees for Minor Subdivisions shall be submitted with the proposed plat. One-half of Major Subdivision fees shall be submitted after the proposed plat has been approved by the County Commission and prior to permitting. The remainder shall be submitted prior to final plat approval by the County Engineer.

3. ENFORCEMENT AND VIOLATIONS

Pursuant to authority granted under Code of Alabama 1975, § 11-24-3(d), the DeKalb County Commission shall enforce the provisions of these regulations by the issuance of citations issued by a county license inspector appointed by the DeKalb County Commission to enforce these regulations. Acting under authority granted in Code of Alabama 1975, § 11-24-3(d) and § 40-12-10, the county license inspector may issue a citation for the failure to properly obtain the permit to develop required under Section 3-6 and/or for any other violations of these regulations or of Code of Alabama 1975, § 11-24-1 *et seq.*

As authorized by Code of Alabama 1975, § 11-24-3(a), the fine for noncompliance of any provisions of these regulations shall be \$1000 per lot that has been sold, offered for sale, transferred, or leased. A separate citation shall be issued for each violation. Immediately following issuance of a citation all work shall cease until violations have been corrected. Failure to halt work will result in additional citations/penalties. The applicable fines shall be doubled and separately assessed against the owner or developer of the subdivision for each subsequent citation.

All fines shall be paid to the office of the judge of probate within thirty (30) days of the issuance of a citation by the county license inspector.

In addition to the issuance of citations for violation of these regulations, the DeKalb County Commission retains the right to seek an injunction against any developer or owner who fails to comply with these regulations as provided in Code of Alabama 1975, § 11-24-3(b), and may bring action against a developer or owner to compel compliance with these regulations in the event that work on the subdivision has been completed in violation of these regulations and the requirements of Code of Alabama 1975, § 11-24-1 *et seq.*

SECTION II

1. **DEFINITION OF A SUBDIVISION:** The development and division of a lot, tract, or parcel of land into two or more lots, plats, sites, or otherwise for the purpose of establishing or creating a subdivision through the sale, lease, or building development. Development includes, but not limited to, the design work of lot layout, the construction of drainage structures, the construction of buildings or public use areas, the planning and construction of public streets and public roads, and the placement of public utilities. A subdivision does not include the construction or development of roads or buildings on private property to be used for agricultural purposes.
 - a. Major subdivision – All subdivisions not classified as a minor subdivision.
 - b. Minor subdivision – Any subdivision with all parcels or lots fronting an existing county maintained road that does not involve any new road(s) or the extension of public facilities, does not require the creation of any public improvements, does not adversely affect the remainder of the parcel, surrounding property, or county roadways and rights-of-way, and does not create any additional storm water runoff.

2. INTERSTATE LAND SALES ACT

The Owner or Developer is advised to review the Interstate Land Sales Full Disclosure Act to determine if the proposed development must comply with those particular rules and regulations.

3. JURISDICTION

The jurisdiction of these regulations shall include all of the unincorporated area of DeKalb County, Alabama. Where any subdivision lies within the extra territorial planning jurisdiction of any municipality having exercised said extra territorial jurisdiction, the requirements of approval of improvements in said subdivision by the County Commission shall in no way diminish, waive, or otherwise lessen the requirements of such municipality. The more strict requirements, whether of the municipality or the county, must be complied with by the Owner or Developer. Approval by the County Commission shall in no way constitute approval in lieu to subdivisions lying within its extra territorial jurisdiction. All such maps or plats must be first submitted to and approved by the other appropriate agency exercising jurisdiction over any subdivision lying within the extra territorial planning jurisdiction and, following such approval, must then be approved by the County Engineer.

4. EXEMPTIONS

The following, notwithstanding any other language in these regulations, shall not be subject to these regulations:

- a. The sale, deed, or transfer of land by the owner to an immediate family member, as provided in Code of Alabama 1975, Section 11-24-2(d);
- b. Any and all subdivisions lying within the boundaries of incorporated municipalities within the County;
- c. Sale or lease to an adjoining property owner;
- d. Sale or lease of a tract that is separated from the balance or remaining part of a tract by an existing boundary such as a road, creek, bluff, ditch, etc;
- e. Sale or lease of one (1) individual tract that has access to a public road by a deeded right-of-way recorded as a part of that tract;
- f. Subdivision of a parcel where all lots border and have at least 60 feet bounded by an existing county maintained road (minor subdivision) provided however, that in order to fall under this exception, the developer must provide a plat of the development to the DeKalb County Engineer's Office and reserve a right-of-way for the county road of at least 30 feet from the centerline of said road, and convey the same to the county;
- g. The construction or development of roads or buildings on private property to be used for agricultural purposes. See Code of Alabama 1975, Section 11-24-1(a)(4).

SECTION III

1. GENERAL REQUIREMENTS

- a. Prior to any construction and at least 30 days before consideration for approval, the Owner or Developer shall submit a proposed plat with a vicinity map and file an application for a "Permit to Develop" from the County Engineering Dept. as outlined in The Code of Alabama 1975, Title II, Chapter 24 as amended. After the proposed plat has been approved by the County Commission, the owner or developer will pay 50% of the anticipated inspection fees as outlined in Section I(2) and obtain a "Permit to Develop" from the County Engineer. Construction may begin after the Permit is obtained. Permit will be valid for a period of one year from issuance date. If construction is not complete at that time a permit extension must be obtained from the County Engineer.
- b. The proposed plat shall be on a contour map with a scale of 1" = 200 feet and contour intervals of twenty (20) feet. This map shall show the preliminary layout of the lots, the location of the road(s), the location, size and drainage area of the proposed drainage structures, location of all proposed utilities, and the names and addresses of all adjoining property owners.
- c. After all work within the road ROW as shown on the approved proposed plat has been completed in compliance with these regulations, and the remainder of the inspection fees as outlined in Section I(2) have been paid, the final plat shall be submitted to the County Engineer for approval. The final shall include a surveyor's certificate and description of land, a notarized dedication, and approvals from the County Health Department, all affected utility companies, and E-911. The final shall also include the appropriate certificate for approval by the County Engineer.
- d. Once the final plat has been approved and recorded pursuant to these regulations and Code of Alabama 1975, Section 11-24-2(c), the developer may proceed with the actual sale, transfer, or lease of any lots, sites, etc. A copy of the recorded plat shall be provided to the County Engineering Department within ten (10) days of final plat approval.
- e. Final plat approval does not include the acceptance of the road(s) into the county maintenance system. Maintenance of the road(s) shall be the responsibility of the Owner or Developer for a minimum of one (1) year after final plat approval by the County Engineer and, if applicable, release of any and all sureties. After this one (1) year period the Developer or Owner may request the County Commission to accept the road(s) into the County Maintenance System. This request shall be made to the County Engineer and submitted for approval to the County Commission during a regularly scheduled meeting. A road(s) in need of maintenance will not be considered for acceptance until all necessary repairs have been made.

2. FRONTAGE ON IMPROVED ROADS

- a. No preliminary subdivision plat shall be approved unless each lot in the area to be subdivided has deeded frontage on, and access from:
 - (1) an existing State road maintained by the State, County road maintained by the County, City road maintained by the City, or
 - (2) a proposed public road shown upon the preliminary plat. Such public road must be suitably improved as required by the rules, regulations, specifications, or orders, or be secured by an improvement guarantee required under these subdivision regulations, prior to approval of the final plat and the sale or offering for sale of lots.

SECTION IV

1. ENGINEERING REQUIREMENTS AND INSPECTION

- a. The Owner or Developer shall furnish the DeKalb County Engineer's Dept. three (3) or more 24" x 36" copies of the proposed plat and vicinity map showing the location of the proposed lots, the location of the proposed road(s), the locations, size and drainage area of the proposed drainage structures, and the location of the proposed utilities.
 - (1) The proposed plat shall be on a contour map with a scale of 1"= 200 feet and contour intervals of twenty (20) feet and shall be certified by a Licensed Civil Engineer or Land Surveyor.
 - (2) The Owner or Developer shall include a list of all proposed utilities planned for the subdivision. The County Engineer's Dept. will notify the affected utilities for any comments concerning the proposed development.
 - (3) The Owner or Developer shall include a list of all adjacent property owners and addresses. The County Engineer's Dept. will notify all affected owners a minimum of ten (10) days prior to the County Engineer's recommendation to the County Commission for approval or disapproval.
- b. Once the Owner or Developer completes all work in the development, two (2) 24" x 36" reproducible final plats, with original signatures, shall be submitted to the County Engineering Department for approval. The final plat shall show the following:
 - (1) All dimensions expressed in feet and decimals of a foot, a vicinity map, a north arrow, and graphic scale.
 - (2) The 911 road number, location and width of all road(s) and other areas to be dedicated for public and/or private use and all right of ways to be dedicated for the installation and maintenance of utilities, all fully dimensioned, showing the angle of intersection of roads and the radii, chords, point of tangency, sub-tangent lengths and the central angles for all curvilinear roads, and the radii of all rounded corners, and shall also contain notations concerning the dedication, reservation and use of such public and/or private areas and right of ways within the subdivision.
 - (3) Minimum thirty (30) feet building set-back lines.
 - (4) The boundaries of the property proposed for subdivision, including all bearings and dimensions as determined by an accurate survey in the field.
 - (5) Lot numbers, lot lines and building lines, if applicable, along with angles or bearings and distance of nonparallel lot lines.
 - (6) The location and description of all permanent monuments set at critical points and so interconnected and dimensioned that any registered land surveyor can lay out lots or streets in the subdivision correctly by referring to the plat alone without any additional information and notation designating that all such monuments have been set.
 - (7) A certificate of ownership and dedication and an accompanying certificate of acknowledgement.
 - (8) A land surveyor's certificate.

- (9) All owner signatures shall be notarized.
- (10) A title block, showing the title of the subdivision.
- (11) Land tie to governmental boundary surveys.
- (12) Signed approvals by the County Health Officer, utility companies and E-911 Office. Space for approval by the County Engineer.

2. INSPECTION

- a. The County Engineer or his/her designee shall monitor and periodically inspect for defects in the construction of the required improvements. If the County Engineer finds upon inspection that any of the required improvements have not been constructed in accordance with the County's adopted construction standards and specifications, the applicant shall be responsible for correcting any deficiencies. Wherever the cost of improvements is covered by a surety, the applicant and the Surety Company shall be severally and jointly liable for completing or paying the cost of the improvements according to specifications. Inspections may be requested at anytime, however must be made as follows:
 - (1) Before the placing of the base course, the Owner or Developer shall request approval of the subgrade from the Dekalb County Engineering Dept to determine if a layer of subbase is needed. The Owner or Developer shall also submit a request for the approval of the type and thickness of the base material to the Dekalb County Engineer's Office.
 - (2) Before the Owner or Developer paves the road(s) in the subdivision the fill beneath the roadway including base and subbase shall be compacted to the satisfaction of the Dekalb County Engineering Dept., or certified compaction reports submitted by the Owner or Developer to the County Engineering Dept. Prior to placing any fill all roadway areas shall be cleared, grubbed and stripped of all unsuitable material. A request from the Owner or Developer for approval of the proposed paving materials must be submitted to the Dekalb County Engineer's Office in writing. The County Engineering Dept. will approve the paving materials and authorize the Owner or Developer to begin paving the road(s).
- b. Drainage structures having twenty (20) square feet or more of end area must be approved by the County Engineer. If requested, the Owner or Developer may be required to submit special drawings of the proposed drainage structure. All drainage structures shall be properly compacted and backfilled.

SECTION V

1. STREETS AND/OR ROADS

- a. The latest edition of the Alabama Department of Transportation Standard Specifications For Highway Construction is hereby made a part of these regulations and shall apply to construction procedures, construction methods, material requirements and etc., except as otherwise noted herein. The DeKalb County Engineering Department shall have the final authority as to this requirement.
- b. All road(s) shall be along contour elevations, which will result in minimum grades and safe horizontal and vertical visibility wherever practicable with adequate consideration given to future land use.

- c. All road(s) must provide for continuation into surrounding areas and provide reasonable means of ingress and egress for adjacent land.
- d. Gates, or other means of restricting traffic flow, are not allowed on roads to be accepted for county maintenance unless locked/secured in an open position. Gates on roads to remain privately maintained are allowed only if they cannot be locked in a closed position and provide emergency vehicle accessibility at all times. Gates must meet all horizontal and vertical clearance requirements.
- e. The Owner or Developer will be responsible for the placement and maintenance of proper signage of the new road(s) until accepted into the county maintenance system. Signage shall be coordinated and approved by the County Engineering Department prior to installation. Regulatory and Warning Signs shall be in accordance with the Manual of Uniform Traffic Control Devices (MUTCD).

Additionally, for subdivisions where roads are not to be accepted into the County Maintenance System, the Owner or Developer of the subdivision is required to install a sign of reasonable size at the entrance of the subdivision stating "ROAD(S) NOT MAINTAINED BY COUNTY BEYOND THIS POINT". It is the responsibility of the Owner or Developers of the subdivision to maintain this sign until the road(s) is accepted by the county. The plat shall also state the road(s) is not a part of the County Maintenance System.

- f. All roads shall be built in the center of the right of way and shall be paved with approved materials.
- g. All cul-de-sacs shall be designed with a minimum radius of fifty (50) feet and a minimum transition radius of twenty-five (25) feet. Cul-de-sacs shall be paved with a minimum radius of forty (40) feet.
- h. Public utilities shall be installed in accordance with the State of Alabama Department of Transportation Utility Manual. The Owner or Developer shall coordinate his work with the appropriate utility or fire department and comply with the local standards. All costs shall be the responsibility of the Owner or Developer.

The Owner or Developer shall contact the local water authority for the proper sizing of water lines. Where possible, the water line should be of sufficient size to accommodate the installation of fire hydrants along the proposed road(s). The Owner or Developer shall contact the local fire department for the proper location of any fire hydrants installed in the subdivision. All costs shall be the responsibility of the Owner or Developer.
- i. Paving marking will be required where deemed necessary for the public safety.
- j. Where land is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow the opening of future roads and logical further subdivision.

2. MINIMUM REQUIREMENTS

- a. Regardless of whether or not the developer intends to seek county acceptance of roads in the subdivision, the following design standards shall be considered minimum requirements for all subdivisions. It is the responsibility of the developer to communicate and schedule with the County Engineer prior to initiating any and all steps of the road building process. In addition to other penalties prescribed by law and by these regulations, any road construction performed without the knowledge and inspection of the County Engineer, or his representative will not be considered for acceptance by the county.

1. The road(s) shall have a roadbed width (including shoulders) of not less than twenty-six (26) feet and the subgrade shall be compacted and properly shaped prior to the placement of base course materials.
2. The base course shall have a compacted thickness of not less than six (6) inches and a width of twenty-six (26) feet. The base course shall extend one (1) foot outside of curb and gutter and/or valley gutter sections. All base course materials shall be approved by the County Engineering Department for quality and durability. Base Course shall be compacted as required by the County Engineer or his/her representative, or certified compaction reports submitted by the developer.
3. The layers of embankment up to the top layer of subgrade shall be compacted as required by the County Engineer or his/her representative, or certified compaction reports submitted by the developer. The subbase and base course layers of local materials shall be placed in successive layers not to exceed six (6) inches per layer.
4. All roads shall be paved with a bituminous treatment or bituminous concrete and shall have a minimum width of twenty (20) feet with a minimum shoulder width of three (3) feet. All roads with curb and gutter and/or valley gutter shall have a minimum paved roadway width of twenty-three (23) feet between gutters. Cul-de-sacs shall be paved with a minimum radius of forty (40) feet. All bituminous treatments shall consist of a minimum 2-layer "AJG" surface with an approved bituminous material. Bituminous concrete pavement shall consist of a minimum 150 lb/sy wearing surface. The Owner or Developer shall provide for the maintenance of the road(s) for a minimum of one (1) year after final plat is approved and release of surety, if applicable. After this minimum one (1) year period the Owner or Developer may request acceptance of the road(s) by the County Commission into the County Maintenance System. Roads in need of maintenance will not be considered for acceptance until necessary repairs have been made.
5. A profile with proposed grades along with a drainage plan shall be submitted with the preliminary plat to the County Engineering Dept.
6. Grades over 15% will not be permitted
7. All intersections shall have sufficient turning radii to accommodate the contemplated traffic.
8. For Average Daily Traffic (ADT) less than 2500 vehicles per day, roads shall be designed using the latest version of the Alabama Department of Transportation's (ALDOT) "County Road Design Policy". (Example: A 35 mph design speed would translate into 355 feet of required sight distance.) For roads with ADT over 2500 vehicles per day, the AASHTO "A Policy on Geometric Design of Highways and Streets" shall be used. (Example: A 35 mph design speed would require 400 feet of required sight distance.)
9. Roads shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two (2) new roads at an angle of less than seventy-five (75) degrees shall not be acceptable. An oblique road should be curved approaching an intersection and should be approximately at right angles for at least one hundred (100) feet from the intersection. No more than two (2) roads shall intersect at any one point unless specifically approved by the County Commission.

SECTION VI

1. MINIMUM STREET DRAINAGE REQUIREMENTS

- a. Proper and sufficient drainage structures shall be constructed at designated locations determined by plans and/or field inspections and contour maps of the area under development. The plans submitted shall indicate the number of acres involved in each drainage area and the Owner or Developer's Engineer shall show the recommended size structure designed to fit the area. The County Engineering Dept. will approve the design or may make changes upon study of the data submitted.
 - (1) Ditch checks may be required on long slopes where cross drain pipes to divert the water do not seem feasible.
 - (2) Water will not be permitted to run along the road(s) more than 500 feet if at all possible to divert.
 - (3) No oil drums or unacceptable pipe can be used. All roadway cross drain pipe shall be a minimum size of 18" and all side drain pipe shall be a minimum size of 15". Only pipe that meets the requirements of the latest revision of the Alabama Department of Transportation Specifications will be acceptable.
 - (4) It is recommended that all drainage pipe be reinforced concrete (Class 3 or better). Coated or aluminized corrugated metal pipe (14 gage up to 36", 12 gage up to 48", 10 gage up to 60") may be used. High density polyethylene pipe meeting the requirements of ASTM D335D Cell Classification 3244230C or ASTM D1248 Type III, Class C, Cat. 4 Grade P33 may also be used up to 30" diameter if approved by the County Engineer. All structures having twenty (20) square feet or more of end area must be approved by the County Engineer prior to installation.
 - (5) Headwalls, catch basins and/or inlets shall be constructed if deemed necessary by the County Engineer.

2. RIGHTS OF WAY

- a. Rights of way for all roads shall be a minimum of sixty (60) feet. The road(s) shall be located in the center of the right of way.
- b. All cul-de-sacs shall be designed with a minimum ROW radius of fifty (50) feet with a minimum transition radius of twenty-five (25) feet.
- c. Rights of way at intersections shall have turning radii unless waived by the County Engineer.
- d. All lot lines shall be calculated to the right of way line and not to the center of the road(s).
- f. Where a subdivision borders an existing road with a right-of-way less than that specified in these regulations, the applicant shall be required to dedicate such additional areas necessary to meet the minimum requirements.
- g. Right of way widths in excess of the standards designated in these regulations shall be required whenever, due to topography, additional width is necessary to provide adequate earth slopes. Such slopes shall be in excess of 3 horizontal to 1 vertical.

3. LOT REQUIREMENTS

- a. The size of the lots shall conform to the requirements of the State of Alabama Health Department.

4. ACCESSIBILITY

- a. Where a proposed subdivision, addition or extension of an existing subdivision or development has no frontage on an existing public road, the Owner or Developer must provide and dedicate suitable rights of way, for ingress and egress. This connecting road becomes part of the road system of the proposed subdivision or development and is subject to all regulations set out herein.

5. ALLEYS

- a. No alleys will be permitted unless:
 - (1) Front entrance cannot be attained because of abnormal lay of the lot in relation to the street or;
 - (2) There is an existing alley in an adjoining subdivision.

SECTION VII

1. VARIANCES

- a. In order to avoid hardships and promote the effective and reasonable application enforcement of these rules, any deviation from these regulations or provisions must go through a variance process and have approval from the County Commission. A variance may be granted upon finding that strict application of these rules would cause undue hardship resulting from conditions peculiar to the site or situation under consideration, which could not have reasonably been anticipated in the writing of the rules. These include but are not limited to:
 - 1. Seasonal loadings
 - 2. Water table conditions
 - 3. Topography
 - 4. Soils and geology
 - 5. Land use
 - 6. Other factors as deemed necessary
- b. Variances may be granted under the following procedures:
 - 1. The Owner or Developers submit a request in writing to the DeKalb County Commission at 15 days prior to the regularly scheduled commission meeting. The request shall state the particular section needing the variance, the reasons and circumstances which support the request, and any pertinent data to support the request.
 - 2. If approved, any conditions or time limitations needed to comply shall be specified by the County Commission. A date which the variance will no longer be valid shall be prescribed in the decision. A continuance of the variance may be requested if submitted to the Commission at least 30 days prior to its expiration.

- c. Variances may be revoked if:
 - 1. The Owner or Developer is in violation of any requirements, condition, schedule, or limitation of the variance.
 - 2. Operation under the variance is threatening the public or the environment. Written notice of revocation shall be provided to the Owner or Developer granted the variance.
 - 3. In the case of a man-made or natural disaster that causes said variance to become noncompliant.

SECTION VIII

1. MISCELLANEOUS

- a. All road(s) corner monuments shall be established and be of a permanent material easily recognized. All lot pins shall also be established prior to final approval of the plat.
- b. The County Commission will only consider acceptance into County Maintenance System, upon recommendation of the County Engineer, a minimum of 12 months after construction of the road(s) and drainage is completed and the final plat is approved and surety, if applicable, has been released, provided:
 - (1) The road(s) and drainage meet the minimum requirements as set out in these regulations.
 - (2) There are no claims or liabilities against the subdivision or development and so certified to the County Commission at the time of request for acceptance.
 - (3) All improvements shown and stated on the plat or record map have been furnished and so certified in the request for acceptance.
 - (4) The road(s) is in good condition and does not require repairs or maintenance.
- c. Erosion control shall meet the requirements of the Alabama Department of Environmental Management.
- d. Upon completion of the improvements being dedicated to the public, the applicant shall file with the County Engineer a statement stipulating the following:
 - (1) That all such required improvements are complete;
 - (2) That these improvements are in compliance with the minimum standards specified by the County Commission and the County Engineer for their construction;
 - (3) That the applicant knows of no defects from any cause in those improvements; and
 - (4) That these improvements are free and clear of any encumbrances or liens.

SECTION IX

1. REQUIRED IMPROVEMENTS BOND

- a. Prior to the approval of the final plat the Owner or Developer shall have installed or constructed the following improvements, or shall post a surety bond of sufficient amount to cover 150% of the required paving if pavement is not complete at time of final plat consideration.
 - (1) All roads have been constructed strictly in conformity with the requirements set out in Section V.
 - (2) All drainage has been constructed strictly in conformity with the requirements set out in Section VI.
- b. The Owner or Developer will forfeit his bond if the improvements are not made and fully completed within one (1) year of bond issuance date unless extension is granted by the County Commission.

If within twelve (12) months after filing said surety, the Owner or Developer has not completed all necessary improvements or, if in the opinion of the County Engineer, said improvements have not been satisfactorily installed, the bond shall be used by the County to complete improvements. The County may also take steps necessary to require performance under the bond.

SECTION X

1. STANDARD DRAWINGS

- a. All necessary drawings and standards regarding roadway typical sections, types of drainage structures and base course requirements are a part of these regulations and may be obtained at the DeKalb County Engineering Department. Special designs by the Owner or Developer's Registered Civil Engineer may be submitted to the County Engineering Department for approval. Crude drawings or sketches by the Owner or Developer will not be accepted.

SECTION XI

1. SANITATION REQUIREMENTS

- a. In addition to DeKalb County's regulations, a completed subdivision map shall bear the approval of the County Health Department before being submitted and recorded. It will be the responsibility of the Owner or Developer to contact the Health Department for their list of specifications.

SECTION XII

1. APPROVAL FOR ADDRESSING ROADS

- a. It is the responsibility of the Owner or Developer to contact the E-911 office for approval of the numbers of the road(s) in the proposed subdivision. The final plat shall bear the road(s) numbers. A certification shall be attached to the final plat bearing the name of a representative from the E-911 office approving the numbers of the road(s)

SECTION XIII

1. APPROVAL FOR UTILITY INSTALLATION

- a. It is the responsibility of the Owner or Developer to contact the appropriate utilities for approval of any utility installed in the subdivision. A certification shall be attached to the final plat bearing the name of a representative from all utility companies approving the installation of the utility lines by the Owner or Developer.

SECTION XIV

1. APPROVAL FOR MUNICIPALITY

- a. If the Subdivision lies within the incorporated area of any municipality, County Commission approval is not required. The County Engineer shall sign the plat as required by state law after a written notification of approval from a representative of the municipality council or planning commission is received. The written notification may be in the form of a plat signed and approved by the municipality and/or letter.

SECTION XV

1. PENALTIES

- a. Any Owner or Developer violating these rules and regulations will be subject to the terms and conditions as noted in Section 11-24-3 of the Code of Alabama 1975, as amended.

SECTION XVI

1. PROPOSED PLAT CERTIFICATES

CERTIFICATE OF ENGINEERING DESIGN BY PROFESSIONAL ENGINEER

I, _____, a professional engineer licensed in the State of Alabama, do hereby certify that the proposed road(s) and drainage systems for _____ Subdivision have been designed under my supervision.

I further certify that the drainage systems have been designed to meet the _____ year storm criteria. This design will ensure that all drainage waters occurring during a storm less than _____ year storm magnitude will flow within the rights-of-way or drainage easements indicated as such on the official plat for this subdivision.

I further certify that the road(s) is designed for a design speed of _____ MPH to meet applicable design criteria for safety, geometry, profile, and typical sections according to the Alabama Department of Transportation's "County Road Design Policy."

(Signature of Engineer) _____ Title _____

(Typed Name of Engineer) _____ Firm _____

Alabama License No. _____ Date _____

SURVEYOR'S CERTIFICATE AND DESCRIPTION OF LAND PLATTED

I, (name of surveyor), a Licensed Professional Land Surveyor in the State of Alabama, for (Name of Survey Company), state that this is a plat of an actual field survey of Lot Numbers _____ through _____ inclusive of (Name of Subdivision), more particularly described as follows:

DESCRIPTION
(Out boundary Description)

I hereby certify (or state) that all parts of this survey and plat have been completed in accordance with the current requirements of the Standards of Practice for surveying in the State of Alabama to the best of my knowledge, information and belief.

This the _____ day of _____, 20____.

(Signature of Surveyor) _____

(Typed Name of Surveyor) _____ Alabama License No. _____

2. FINAL PLAT CERTIFICATES

SURVEYOR'S CERTIFICATE AND DESCRIPTION OF LAND PLATTED

I, (name of surveyor), a Licensed Professional Land Surveyor in the State of Alabama, for (Name of Survey Company), state that this is a plat of an actual field survey of Lot Numbers ____ through ____ inclusive of (Name of Subdivision), more particularly described as follows:

DESCRIPTION (Out boundary Description)

I hereby certify (or state) that all parts of this survey and plat have been completed in accordance with the current requirements of the Standards of Practice for surveying in the State of Alabama to the best of my knowledge, information and belief.

This the _____ day of _____, 20____.

(Signature of Surveyor) _____

(Typed Name of Surveyor) _____ Alabama License No. _____

ENGINEER'S CERTIFICATE OF ENGINEERING DESIGN AND CONSTRUCTION

I, _____, a professional engineer licensed in the State of Alabama, do hereby certify that the road(s) and drainage systems for _____ Subdivision have been designed and constructed under my supervision in accordance with the construction plans submitted to the County Engineer.

I further certify that the drainage systems have been designed and constructed to meet the _____ year storm criteria. This design will ensure that all drainage waters occurring during a storm of less than _____ year storm magnitude will flow within the rights-of-way or drainage easements indicated as such on the official plat for this subdivision.

I further certify that the streets are designed and constructed for a design speed of _____ MPH to meet applicable design criteria for safety, geometry, profile, and typical sections according to the Alabama Department of Transportation's "County Road Design Policy".

I further certify that I have checked all test reports and that all base material, concrete, and asphalt have been installed in accordance with the typical sections, profiles and plan details and meet minimum requirements as set out in the most current edition of the State of Alabama Department of Transportation's *Standard Specifications for Highway Construction*.

I further certify that all Federal and State permits required for construction of the subdivision were obtained and complied by during construction.

(Signature of Engineer) _____ TITLE _____

(Typed Name of Engineer) _____ FIRM _____

Alabama License No. _____ DATE _____

DEDICATION

I (we), _____, the owner(s) of said lands surveyed by _____, do hereby certify that title was and is vested in said owner(s) and join in the foregoing statement made by said ___(Surveyor's Name)_____, and as stated in Code of Alabama 1975, § 35-2-50 et seq., do hereby certify that it was and is my (our) intention to divide said lands into lots as shown by said plat and do hereby dedicate, grant, and convey for public use the road(s) and other public grounds as shown on said plat.

Property Owner(s)

NOTE: In cases where a subdivision is to remain private, the above dedication shall state that the "road(s) and other public grounds as shown on said plat shall remain privately maintained".

ACKNOWLEDGMENT

(for corporation)

STATE OF _____
COUNTY OF _____

I, the undersigned authority, a Notary Public in and for said County and State, hereby certify that (corporate officer's name), whose name as (title) of the (corporation name), is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the content of the instrument, he/she as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

GIVEN under my hand and official seal this _____ day of _____, 20____.

NOTARY PUBLIC

ACKNOWLEDGMENT

(for individual(s))

STATE OF _____
COUNTY OF _____

I, the undersigned authority, a Notary Public in and for said County and State, hereby certify that (owner's name(s)), whose name(s) is/are signed to the foregoing instrument, and who is/are known to me, acknowledged before me on this day that, being informed of the content of the instrument, executed the same voluntarily.

GIVEN under my hand and official seal this _____ day of _____, 20____.

NOTARY PUBLIC

NOTE: If multiple owners cannot sign dedication at same time and be witnessed by one Notary, an individual acknowledgment will need to be prepared for each owner.

CERTIFICATE OF APPROVAL BY (Utility Company's Name)

The undersigned, as authorized by the (name of utility) hereby approved the within plat for the recording of same in the Probate Judge's Office of DeKalb County, Alabama, this _____ day of _____, 20____.

(Utility authorized signature)

NOTE: An individual certificate should be used for each utility involved.

CERTIFICATE OF APPROVAL BY THE DEKALB COUNTY HEALTH DEPARTMENT

The undersigned, as authorized by the DeKalb County Health Department, Alabama, hereby certifies that this subdivision meets the approval of the DeKalb County Health Department subject to certain conditions of approval and/or lot deletions on file with the said health department, which conditions are made a part of this approval as if set out hereon. I hereby approve the within plat for the recording of same in the Probate Judge's Office of DeKalb County, Alabama, this _____ day of _____, 20____.

Health Officer

CERTIFICATE OF APPROVAL BY E-911 BOARD

The undersigned, as authorized by the DeKalb County E-911 Board, hereby certifies that the within plat has been reviewed, and any and all new roads will be designated according to the DeKalb County E-911 road numbering and addressing policies. The undersigned hereby approves the within plat for the recording of same in the Probate Judge's Office of DeKalb County, Alabama, this _____ day of _____, 20____.

E-911 authorized signature

CERTIFICATE OF RECORDING BY JUDGE OF PROBATE

NOTE: No particular certificate is required. Please provide space in the upper right hand corner or the lower right hand corner to allow for a time and fee stamp. Plat Book Number, Page Number and Slide Number will be written in by the Probate Judge's personnel.

CERTIFICATE OF APPROVAL BY THE COUNTY ENGINEER

(choose appropriate certificate)

a. All work on right-of-way complete:

The undersigned, as County Engineer for DeKalb County, Alabama, hereby certifies the proposed plat for this subdivision was approved by the County Commission and that construction complies with said plat and current requirements for subdivisions. The signature hereto does not guarantee the accuracy of the survey. Maintenance of the road(s) shall be the responsibility of the Owner or Developer for a minimum of one (1) year from this date. After this minimum one (1) year period and, provided the road(s) has been properly maintained, the Owner(s) or Developer(s) may request the County Commission to accept the road(s) into the County Maintenance System.

DeKalb County Engineer

Date

b. Pavement to be completed under surety bond:

The undersigned, as County Engineer for DeKalb County, Alabama, hereby certifies the proposed plat for this subdivision was approved by the County Commission and that construction complies with said plat and the current requirements for subdivisions. The signature hereto does not guarantee the accuracy of the survey. A surety bond in the amount of \$_____ has been posted with the DeKalb County Commission to cover work currently not complete. Maintenance of the road(s) shall be the responsibility of the Owner(s) or Developer(s) for a minimum of one (1) year after release of this surety bond. After this minimum one (1) year period and, provided the road(s) has been properly maintained, the owner(s) or developer(s) may request the County Commission to accept the road(s) into the County Maintenance System.

DeKalb County Engineer

Date

c. Located within a municipality:

The undersigned, as County Engineer for DeKalb County, Alabama, and after written notification of approval by the Municipality of _____ hereby signs this plat for recording of the same in the Probate Office of DeKalb County, Alabama. The Signature hereto does not guarantee the accuracy of the survey nor indicate physical inspection, approval or acceptance of the design, construction, or maintenance responsibility by DeKalb County of the subdivision roads, right-of-ways, utilities, or drainage structures.

DeKalb County Engineer

Date

d. All lots border an existing county road:

The undersigned, as County Engineer for DeKalb County, Alabama, hereby certifies the proposed plat for this subdivision complies with current requirements for a minor subdivision.

DeKalb County Engineer

Date

SECTION XVIII

1. EFFECTIVE DATE

These Subdivision Standards shall take effect and be in force from and after the date of adoption.

Adopted This The 22nd Day Of May, 2007

DEKALB COUNTY COMMISSION
DEKALB COUNTY, ALABAMA

Sid Holcomb, President

RICKY HARCROW
DISTRICT 1 COMMISSIONER

ED NIX
DISTRICT 2 COMMISSIONER

BRANT CRAIG
DISTRICT 3 COMMISSIONER

DEWITT JACKSON
DISTRICT 4 COMMISSIONER

ATTEST:

COUNTY CLERK