

Pike County Subdivision Ordinance Adopted - May 15, 2009

Authority.

This Residential Subdivision Ordinance of Pike County, MS is adopted pursuant to the authority set forth in the Mississippi Code of 1972, annotated.

Title.

These regulations shall be known, referred to, and cited as the Pike County Subdivision Ordinance of 2009.

Purpose and Intent.

These regulations have as their purpose and are designed to:

1. Establish procedures governing the filing and approval of residential subdivision plats and other pertinent data in Pike County, MS.
2. Establish minimum standards governing the filing of subdivision plats for rural residential subdivisions to be approved by the Board of Supervisors.

Scope.

It shall be unlawful for any person or entity to subdivide land for residential purposes within the boundaries of Pike County into five (5) or more lots, tracts, sites, parcels or divisions of less than five (5) acres for the purpose of sale, resale, lease or building development until a plat of such subdivision has been recorded in the office of the Chancery Clerk of Pike County. Plats must be approved by the Board of Supervisors under the provisions of this Ordinance.

Any deviation or revision from original approved plat shall require the filing of a new plat. Revised plat shall also require the approval of the Board.

Subdivisions of family property for family members use will not require a plat to be filed. Family being defined as family to the third degree.

Compliance.

No owner or agent of the owner of any lots located in a subdivision as defined by this Ordinance shall transfer title to any such lots before a final plat of such subdivision has been duly approved and recorded in the office of the Chancery Clerk of Pike County, MS.

Procedure for Filing Plat.

The developer shall submit a final plat to the Pike County Board of Supervisors for approval. Plats shall be submitted on paper no smaller than 18" x 24" and no larger than 24" x 36". The Board of Supervisors shall approve, disapprove or give conditional approval of said plat within 15 days of submission. Scale factor can be no larger than 1" = 200'.

Plat Requirements.

The purpose of the plat is to graphically show all facts needed to enable the County to determine if said plat meets the requirements provided under this section.

Each plat shall contain, at a minimum, the following information:

1. The title under which the subdivision or development is to be recorded; the location of the property to be subdivided; the names of the owner or owners and the developer or person dividing said property. It must also include the name and license number of the land surveyor.
2. Date of survey, north arrow and scale of said plat.
3. Exact boundary lines of the tract with bearings and distances along the boundary and total acreage of said tract. Plat must also include a point of beginning of a known section corner, quarter section corner or quarter-quarter section corner. Street intersections, adjoining property owner property corners, iron post, trailer axles and fence corners may NOT be used as points of beginning for proposed subdivisions.
4. Plat must also include location, names and widths of streets to be included in said subdivision. Layout of subdivision must also include lot or tract numbers and block numbers if applicable.
5. Plat must also indicate any existing utility right of ways; such as, but not limited to, power lines, sewer lines, gas lines or pipe lines.
6. If proposed subdivision does not border or have public road access, plat must include ingress and egress information.
7. Indexing information, section, township, range and quarter section at minimum.
8. All streets, roads, lanes, drives or trails shall be designated in writing on the plat as to being either private or public.

In addition to the above plat information the following information is required to be submitted before a subdivision plat will be approved:

A bond in an amount to construct the roads in the subdivision to the Minimum Standard for Subdivisions shall be provided. The bond amount will be determined by the County Engineer based on current cost estimates for construction of the road. The road should be completed before the term of the bond expires. Any extension of the bond must be approved by the Pike County Board of Supervisors. The bond will be released once the road is constructed to the Minimum Standard for Subdivisions and/or accepted by the Pike County Board of Supervisors.

Method of Water Supply – If water association, documentation from association verifying their willingness to supply water. If individual wells, documentation of clearance from the Health Department.

Method of Wastewater Treatment – If existing sewer system is providing service, documentation from system verifying their ability and willingness to provide sewer service. If septic system, documentation of clearance from Health Department. If construction of new collection/treatment system, documentation of clearance from Department of Environmental Quality.

Proposed Road Maintenance – If proposed to be public, a letter stating it is the intention of road to be dedicated to Pike County for County Maintenance. The Board assumes no responsibility for road maintenance until the road is accepted. Upon acceptance, the Board makes no guarantee of paving or improvement of road other than routine maintenance. If private, a letter stating the road will be built to the Pike County Minimum Road Standards set forth by the Board of Supervisors, but will remain private and no public funds will be expended to maintain the road. Additionally, a maintenance plan and a party responsible for maintenance should be listed.

Board of Supervisors Acceptance.

All roads included in the subdivision plat (public or private) shall meet the Minimum Road Standards requirements set forth by the Board of Supervisors. The Pike County Board of Supervisors reserves the right to accept or reject any road, street, lane or drive that does not meet or surpass the Minimum Road Standards set forth by the Board of Supervisors of Pike County, MS. Roads must be inspected by the County Engineer, two members of the Board of Supervisors (not of that District) and County Road Superintendent before final acceptance.

All road, street, lane, drive or trail names must first be approved with the E911 Director prior to filing of said plat.

Penalty.

Any person violating the provisions of this ordinance shall be guilty of a misdemeanor and subject to a fine of not less than \$1,000 first offense and not less than \$2,500 for each offense thereafter for each lot or parcel of land so subdivided or transferred or sold, until which time a plat has been filed.

Definitions.

BOARD Board of Supervisors of Pike County, Mississippi.

BOND Any form of security including a cash deposit, surety bond, irrevocable letter of credit, certified check, or property in an amount and form satisfactory to the Board. All bonds must be approved by the Board wherever a bond is required by these regulations.

COUNTY ENGINEER Person or firm recognized by Pike County as responsible for approving construction design of public works such as streets, bridges, etc. in the county.

DEVELOPMENT The land to be subdivided and platted along with the improvements made thereon.

FINAL ACCEPTANCE Board Order accepting the maintenance of roads and streets and other public improvements.

LAND SURVEYOR A registered land surveyor registered in the State of Mississippi.

LOT A plot, parcel or tract of land with fixed boundaries, intended as a unit for the transfer of ownership for building development or both.

MANUFACTURED HOUSING, MOBILE HOMES, TRAILERS A structure, transportable in one or more section, which in the traveling mode, is eight (8) body feet or more in width or thirty-two (32) body feet or more in length, or, when erected on site, is two hundred fifty-six (256) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities.

PLAT (FINAL) A map of a land subdivision prepared in a form suitable for filing of record with the necessary affidavits, dedications and acceptances, and with

complete bearing and dimensions of all lines defining lots and blocks, streets, alleys, public areas and other dimensions of land.

SUBDIVISION Any division, for the purpose of offer, sale, lease, or development, either on the installment plan or upon any or all other plans, terms, and conditions, of any tract or parcel of land into five (5) or more lots or parcels less than five (5) acres.

PIKE COUNTY

MINIMUM ROAD STANDARDS
FOR ACCEPTANCE BY COUNTY

WHEREAS: The Board of Supervisors of Pike County sees the necessity to revise the minimum standards for road constructions on private roads to be dedicated to the County for public use; and,

WHEREAS: The Board of Supervisors of Pike County will maintain for public use roads which meet these minimum standards as determined by the County Engineer and which have been duly surveyed and dedicated to the County for public use and are accepted by the Board of Supervisors.

NOW, THEREFORE: It is ordered by the Pike County Board of Supervisors that the following minimum standards for road construction be and are hereby adopted:

MINIMUM STANDARDS

Right of Way	40' (20' from centerline of road)
Crown width	24' (12' from centerline of road)
Clay gravel	8" minimum (see note below)
Roadway crown	3% cross slope (left & right of centerline)
Roadway ditches	1 1/2' minimum depth
Foreslopes	3:1 maximum
Backslopes	2:1 maximum
Drainage structures	Meeting 10 year flood requirements
Cul-de-sacs	Minimum 80' diameter (shoulder to shoulder)
Paving	20' wide (see note below)

General: The roadway gravel surface is to be bladed, shaped, and free of any knots or dips and no base failures or soft areas shall exist. The roadway ditches shall be cut to drain and be properly protected from erosion with a healthy stand of grass or sod. All crossdrains and sidedrains shall be of sufficient length to maintain the full roadway section including foreslopes.

Paving: The road surface must be paved with a double bituminous surface treatment on an 8" compacted clay gravel base or a 3" hot bituminous (hot mix) surface course on a 6" compacted gravel base. The county Engineer must inspect & approve the gravel base immediately prior to placing any paving. Paving will be done using currently acceptable construction standards. The Developer will warranty the roadway surface for one year after acceptance as a county road.

All dedication plats shall meet the requirements of content and size as currently adopted by the Pike County Chancery Clerk's Office.

The Developer will bear all cost of construction of these roads and also any cost incurred for inspection by the County Engineer.

RESOLUTION ADOPTING CHANGES TO
THE SUBDIVISION ORDINANCE

BOOK 2009 PAGE 348

WHEREAS, the Board of Supervisors appointed a Pike County Subdivision Ordinance Committee; and


WHEREAS, said committee presented to the Board of Supervisors recommendations for changes to the subdivision ordinance that included the standard to which subdivision roads are constructed be changed to a "subdivision" standard requiring graveling of the road; and

THEREFORE, a motion was made by Supervisor Lexie Elmore to accept all recommendations from the subdivision ordinance committee, see attached, with the following change: that the requirement for subdivision roads require that the roads be paved. Said motion was seconded by Supervisor Tazwell Bowsky and the following vote was taken:

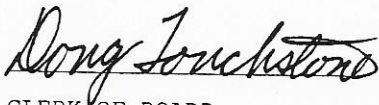
Supervisor Tazwell Bowsky	"For"
Supervisor Lexie Elmore	"For"
Supervisor Chuck Lambert	"Against"
Supervisor Venton Adams	"For"
Supervisor Gary Honea	"Against"

Motion passed on a 3-2 vote.

SO RESOLVED, this the 15th day of May, A.D, 2009.



PRESIDENT



CLERK OF BOARD