

**AN ORDINANCE AMENDING THE PIKE COUNTY
SUBDIVISION ORDINANCE
ADOPTED – FEBRUARY 2, 2015**

Authority.

This Amended 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 2015.

Purpose and Intent.

The Board of Supervisors, on May 15, 2009, adopted the Pike County Subdivision Ordinance for the purposes therein stated. The purpose of this ordinance is to supplement and clarify that ordinance.

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:

1. Subdivision Road Construction and Maintenance

Subdivision Roads Public and Private

Public – If subdivision road is proposed to become public, a letter from the subdivision developer is required stating the road will be dedicated to Pike County. The developer will place in escrow with Pike County an amount to construct the subdivision road to the Pike County Required Standards for Acceptance of Subdivision Roads (Exhibit 1). The amount to construct the subdivision road to The Pike County Required Standards for Acceptance of Subdivision Roads (Exhibit 1) will be determined by the County Engineer and/or County Road Superintendent based on current cost estimates (prices current upon filing of the subdivision plat). Failure to provide escrow funds for construction of road to be dedicated will result in rejection of subdivision plat.

Private – If subdivision road is proposed to remain private, a letter from the subdivision developer is required and must include the following:

- a. Statement that the road will remain private and it is the responsibility of the developer to maintain the road
- b. A maintenance plan for the subdivision road
- c. Name, address, and phone number of the party responsible for subdivision road maintenance, and
- d. Acknowledge that the subdivision road must meet the Pike County Required Standards for Acceptance of Subdivision Roads which include inspection requirements (Exhibit 1) should the road be dedicated to Pike County at some time in the future.

If the developer requests in the future that a subdivision road be dedicated to the County, the developer can construct or can place in escrow with Pike County an amount to construct the subdivision road to the Pike County Required Standards for Acceptance of Subdivision Roads (Exhibit 1) prior to the subdivision road being accepted.

2. **Road Name** – All road, street, lane, drive, or trail name(s) must first be approved with the E911 Director prior to filing of said plat. Documentation for E911 Director of such approval must be submitted with subdivision plat.

3. **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.
4. **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.

Board of Supervisors' Acceptance of Subdivision Roads as Public Roads

Subdivision roads are not accepted when the subdivision plat is accepted. The Board assumes no responsibility for road maintenance until the road is accepted as a public road. Subdivision Roads must meet the Pike County Required Standards for Acceptance of Subdivision Roads (Exhibit 1) prior to acceptance. The Board reserves the right to accept or reject any subdivision road, lane, street, or drive that does not meet or surpass the Pike County Required Standards for Acceptance of Subdivision Roads (Exhibit 1). Prior to final acceptance by the Board the subdivision road must be inspected by the County Engineer, County Road Superintendent, and two members of the Board of Supervisors (not of the district which includes the road). After acceptance, it is solely within the discretion of the County to determine when the subdivision road will be paved.

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.

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.

The terms and conditions in this amendment to the Pike County Subdivision Ordinance supersede all prior such amendments and ordinances.

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.

ORDER APPROVING AMENDMENT TO THE
SUBDIVISION ORDINANCE

A motion was made by Supervisor Luke Brewer and seconded by Supervisor Gary Honea to amend the Subdivision Ordinance as shown attached. The following vote was taken:

Supervisor Tazwell Bowsky	"Against"
Supervisor Faye Hodges	"For"
Supervisor Chuck Lambert	"For"
Supervisor Luke Brewer	"For"
Supervisor Gary Honea	"For"

Said motion carried on a 4-1 vote.

So Ordered this the 2nd day of February, A.D., 2015.



PRESIDENT