

AN ORDINANCE AMENDING THE PIKE COUNTY
SUBDIVISION ORDINANCE
ADOPTED - DECEMBER 4, 2017

Authority

This Amended Residential Subdivision Ordinance of Pike County, Mississippi is adopted pursuant to the authority set forth in the Mississippi Code of 1972, annotated. It is hereby, amended to include within its provisions, requirement that manufactured housing (or mobile homes) meet the same subdivision requirements regarding parcels of land which are to be used for sale, lease or rental purpose.

These regulations shall be known, referred to, and cited as the Pike County Subdivision Ordinance of 2017.

Purpose and Intent.

The Board of Supervisors, on May 15, 2009, adopted the Pike County Subdivision Ordinance for the purposed therein stated. The purpose of this ordinance is to supplement and clarify that ordinance. The ordinance was amended on February 2, 2015.

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 that 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, Mississippi.

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 requirement 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 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 lane.

SUBDIVISION: Any division of a tract of property for location of traditional custom built housing or for purposes of location of manufactured homes or mobile homes, for offer, sale, rental, 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, which lots or parcel are less than five (5) acres in size.

The terms and conditions of this amendment to the Pike County subdivision ordinance supercede all prior amendments and ordinances. The Board of Supervisors does hereby find that this ordinance shall take effect immediately in order to protect the public health, safety, and welfare of citizens of the county. This amended ordinance shall take effect immediately upon its publication.

ORDER APPROVING AMENDMENT TO THE
SUBDIVISION ORDINANCE

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

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

Said motion carried.

So Ordered this the 4th day of December, A.D., 2017.

PRESIDENT

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