

Improvements

**Chapter
1191**



Section 1191-1 Performance Bond

- (a) Prior to the granting of final approval the subdivider shall have installed the required improvements, or shall have furnished a performance bond for the amount of the estimated construction cost of the ultimate installation of improvements listed and described herein. The performance bond submitted to the City shall assure the City that the subdivider, the subdivider's heirs, successors and assigns, and its agent or servants, shall comply with all applicable terms, conditions, provisions and requirements of these Subdivision Regulations, and shall faithfully perform and complete the work of constructing and installing such facilities or improvements in accordance with these laws and regulations. Before the bond is accepted, it shall be approved by the proper administrative officials. In lieu of a performance bond, the subdivider may request that the City accept a cashier's check/bank check, cash deposit, or irrevocable, unconditional letter of credit as an alternative form of security. A determination by the City shall be made on the size and the scope of the improvements to be installed. The term of the bond, and the City's receipt of the alternative forms of security, shall extend twelve months beyond the completion date of the project. Any cash or cash equivalent that is returned shall not be returned with interest.
- (b) The subdivider or developer shall submit a set of construction plans for the improvements of the road, street or alley, prepared by a registered professional engineer. The construction plans shall include all information as outlined in the Hilliard Development Handbook.
- (c) When deemed desirable, the City Engineer or his representative may require the construction or vacation of part or all of any intersecting roads, streets, or alleys in order to assure that no hardship or added expense is endured by abutting property owners.
- (d) All the required improvements shall be made in full compliance with the specifications for each of the various units of work as required by the Hilliard Development Handbook.

Section 1191-02 Utility Improvements

- (a) Water Lines. – See Hilliard Development Handbook for standards and specifications
- (b) Sanitary Sewers. - See Hilliard Development Handbook for standards and specifications
- (c) Drainage. – See Hilliard Development Handbook for standards and specifications
- (d) Street Improvements.
- (e) Driveways.
- (f) Sidewalks.
- (g) Street name signs.
- (h) Street lighting.
- (i) Improvement bond.

The improvements and standards described in this chapter have been adopted by Council, and no final subdivision shall be approved unless the improvements listed in the sections of these

regulations have been satisfactorily completed prior to such approval, or the subdivider files with the City a surety bond, cashier's check/bank check, cash deposit or irrevocable, unconditional letter of credit for the estimated amount of construction cost which shall be approved by the City Engineer, guaranteeing to the City that such improvements shall be constructed and completed in a satisfactory manner and within a period specified by the City Engineer, but this period shall not exceed one year beyond completion. The form of bond or letter of credit shall be approved by the Law Director and shall be enforceable by and made payable to the City. Upon satisfactory completion of the improvements and approval of them in writing by the City Engineer and with the presentation of letters of certification of payment in full of all contractors, subcontractors, suppliers of material, engineers and surveyors, and the payment of all inspection fees or other fees incurred by the installation of the improvements by the subdivider, the bonds, checks, cash or letters of credit shall be returned to the developer; provided, however, that any cash or cash equivalent that is returned shall not be returned with interest.

1191-03 Maintenance and Operation

Where the subdivision contains sewers, sewage treatment plants, water supply systems, park areas, street trees or other physical facilities necessary or desirable for the welfare of the area and which are of common use or benefit and which are of such character that the City or other public agency does not desire to maintain them, provisions shall be made by trust or other form of legal agreements, which are a part of the deed restrictions and which are acceptable to Council for the proper and continuous maintenance and supervision of such facilities by the lot owners in the subdivision.

(1980 Code 151.42)

1191-04 Construction Drawings, Specifications, and Inspections

- (a) Construction Drawings. Upon approval and acceptance of the improvements, the original construction drawings shall become the property of the City and shall be on file in the office of the City Engineer.
- (b) Specifications, Supervision and Inspection. The specifications of the City shall in all respects govern all construction work. The work shall be done under City supervision and inspection. It shall be completed within the time fixed or agreed upon by the City Engineer.
- (c) Inspection Costs. The cost of City inspection of public improvements, site grading and site erosion control shall be paid by the applicant prior to City approval of any construction activity. The amount of the inspection fee is listed in Chapter 190. The applicant shall submit for review and approval an estimate of said improvements to the City Engineer, who shall approve said cost estimate prior to approval on construction documents. Said fees shall be non-reimbursable to the applicant.
- (d) Plan Review for Public Improvements. The cost of City review of construction documents and calculations for public improvements, site grading and site erosion control shall be paid by the applicant prior to City approval of any construction documents. The amount of the plan review fee is listed in Chapter 190. The applicant shall submit for review and approval an estimate of said improvements to the City Engineer, who shall approve said cost estimate prior to approval on construction documents. Said fees shall be non-reimbursable to the applicant.
- (e) Plan Review of Private Improvements. The cost of City review of construction documents and calculations for private civil site improvements, site grading and site erosion control plans, parking lots, onsite lighting, detention and retention ponds, driveways and sidewalks shall be

paid by the applicant prior to City review and/or approval of such documents. The amount of the plan review fee is listed in Chapter 190.

- (f) Payment of Plan Review Fees for Public and Private Improvements. One-half of the estimated plan review fees shall be paid prior to review of any plans by the City based on a preliminary approved Engineer's estimate. All plan review fees shall be paid prior to approval of construction plans and documents by the City Engineer. The final review fees shall be based on the final Engineer's cost approved by the City Engineer.