

RESOLUTION

WHEREAS, Article 66B of the Code of Public General Laws of Maryland empowers the Town to prepare, enact, amend and provide for the administration and enforcement of a subdivision ordinance within its territorial limits; and

WHEREAS, the Mayor and Town Council of Mountain Lake Park have formally adopted the Comprehensive Development Plan for the Town; and

WHEREAS, a land subdivision ordinance was recommended therein providing for the regulation of design standards for streets and building lots, and requiring the provision of adequate drainage, water supply and sewage disposal facilities; and

WHEREAS, the Mayor and Town Council have given due public notice of a public hearing relating to such regulations and have held such public hearings;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council do hereby enact the following as the Subdivision Ordinance for the Town of Mountain Lake Park, Maryland, duly adopted by unanimous vote of the Mayor and Town Council of Mountain Lake Park, Maryland, this 12th day of March, 1981.

Attest:

Cathy L. Paugh  
Cathy L. Paugh, Clerk/Treasurer

Burt L. Metzger  
Ellis E. Elphitt  
George W. [unclear]  
Richard S. [unclear]  
James [unclear]  
Russell B. [unclear]  
Mayor

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AN ORDINANCE adopted by the Mayor and Town Council of Mountain Lake Park, Garrett County, Maryland on the 17<sup>th</sup> day of MARCH, 1981, to establish regulations governing the subdivision of land within the Town of Mountain Lake Park, and providing for the administration and enforcement thereof.

Article 1: TITLE, PURPOSE, INTERPRETATION, APPLICABILITY  
AND SEPARABILITY

100 SHORT TITLE

This Ordinance shall be known and may be cited as the "Mountain Lake Park Land Subdivision Ordinance".

101 PURPOSE

The purpose of this Ordinance is to promote the public health, safety or the general welfare of the present and future inhabitants of Mountain Lake Park by:

- 101.1 Providing for the proper arrangement of streets in relation to other existing and planned streets;
- 101.2 Providing for the adequate and convenient placement of sites for public purposes;
- 101.3 Assuring adequate open spaces for traffic, utilities, access of fire-fighting apparatus, recreation, light and air;
- 101.4 Furthering the development of land in an orderly and appropriate manner;
- 101.5 Establishing requirements and responsibilities for the equitable allocation of the costs of installing streets, utility systems and other improvements;
- 101.6 Establishing uniform standards for the design, survey, approval and recording of plats of land subdivisions; and
- 101.7 Giving effect to the policies and proposals of the Comprehensive Development Plan for the Town of Mountain Lake Park.

102 INTERPRETATION

In interpreting and applying this Ordinance, its provisions shall be held to be the minimum requirements for promoting the public health, morals, safety, comfort, convenience and general welfare, except that when the provisions imposed by any statute, other ordinance, rule, regulations or permit or by any easement, covenant, or agreement are more restrictive than the provisions of this Ordinance, the provisions of such statute, other ordinance, rule, regulation, permit, easement, covenant or agreement shall prevail.

**103    APPLICABILITY**

- 103.1 The provisions of this Ordinance shall apply in relation to all land within the corporate limits of the Town of Mountain Lake Park.
- 103.2 All departments, officials and public employees of the Town of Mountain Lake Park vested with the duty or authority to issue permits or licenses shall issue no permit or license for any use, building or purpose if the same would be in conflict with the provisions of this Ordinance.
- 103.3 Previous Ordinances, Resolutions, Rules or Regulations adopted by the Mayor and Town Council of Mountain Lake Park are hereby repealed to the extent that they conflict with or impose less restrictive standards than the provisions of this Ordinance.

**104    SEPARABILITY**

It is hereby declared to be the legislative intent that the provisions of this Ordinance are separable, whereby:

- 104.1 If a court of competent jurisdiction declares any provision of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to the provision expressly stated in the court's decision, and all other provisions of this Ordinance shall continue to be separately and fully effective, the Mayor and Town Council hereby declaring that they would have adopted the remaining provisions without the word, phrase, clause, items, sentence, paragraph or section, or the application thereof, so declared invalid.
- 104.2 If a court of competent jurisdiction finds the application of any provision of this Ordinance to any lot, building or other structure, or tract of land to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to the person, property or situation immediately involved in the court's decision, and the application of any such provision to other persons, properties or situations shall not be affected thereby.

ARTICLE 2: DEFINITIONS

200 General Provisions

A. The following rules of construction shall apply in interpreting this Ordinance:

1. Words used in the present tense include the future.
2. Words used in the singular number include the plural, and the plural the singular.
3. The word "shall" is always mandatory; the words "may" and "should" are permissive.
4. The word "used" or "occupied", as applied to any land or building, includes the words "arranged or designed or intended to be used or occupied".

B. Unless otherwise expressly stated, the definitions of words and terms contained in this Article shall be used in interpreting this Ordinance. Words not herein defined are used with a meaning of standard usage.

201 ALLEY

A right-of-way, other than a street, used for vehicular access to the side or rear of abutting property.

202 APPLICANT

The person who submits an application for a land subdivision, which person shall be either the landowner or the duly authorized agent of the landowner, as defined herein.

203 BLOCK

A lot or group of lots bounded on one side by a street, and other three sides by a street, a railroad right-of-way, a waterway, an unsubdivided area, and other definite barriers, or combinations thereof.

204 BUILDING

A combination of materials having a roof, to form a structure for the shelter of persons, animals or property. The word "building" shall be construed as if followed by the phrase "or part thereof".

205 BUILDING SETBACK LINE

The rear line of the minimum front yard, as designed in the Town Zoning Ordinance for each zoning district, measured from the street right-of-way line.

206 CARTWAY

The portion of a street right-of-way, paved or unpaved, intended for vehicular use.

207 COMPREHENSIVE PLAN

The maps, charts and textural material adopted by the Mayor and Council in accordance with Article 66B of the Code of Public General Laws of Maryland and designated as a Comprehensive Plan for the continuing development of the Town.

208 CUT

An excavation. The difference between a point on the original ground and a designated point of lower elevation on the final grade. Also, the material removed in excavation.

209 DWELLING

A building or portion thereof arranged or designed to provide one or more dwelling units.

209.1 Dwelling Unit: A dwelling or portion thereof providing complete living facilities for one family; provided, however, that this term shall not be deemed to include rooming, boarding or lodging houses or hotels, motels, tourist homes or other similar places offering overnight accommodations for transients.

209.2 Single-Family Detached Dwelling: A building, commonly known as a single family house, designed for and occupied exclusively as a residence having one dwelling unit from ground to roof and open space on all sides, where a private garage is structurally attached to such a dwelling, it shall be considered as a part thereof.

209.3 Two-Family Detached ("Duplex") Dwelling: A single building containing two dwelling units separated by a party-wall, and intended and designed to be occupied as a residence by two families living independently of each other as separate house-keeping units.

209.4 Single-Family Attached ("Townhouse") Dwelling: A portion of a building designed for and occupied exclusively as a residence for only one family and having (I) only one dwelling unit from ground to roof, (II) two points of independent outside access, (III) at least two other dwellings built in conjunction therewith and (IV) any portion of one or two walls in common with an adjoining dwelling.

209.5 Multi-Family ("Apartment") Dwelling: A building containing one dwelling unit above another dwelling unit or a building containing three or more dwelling units and designed to be occupied by three or more families living independently of one another.

210 EASEMENT

A right-of-way granted or reserved, but not dedicated, for limited use of private land for a public or quasi-public purpose, and within which the owner of the property shall not erect any permanent structures, but shall have the right to make any other use of the land which is not inconsistent with the rights of the grantee.

211 ENGINEER

A professional engineering firm, registered and/or licensed as such by the State of Maryland.

212 ENGINEER, TOWN

An engineer as defined in Section 211, employed by the Mayor and Council to perform specified engineering services.

213 FILL

Any act by which earth, sand, gravel, rock or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface and shall include the conditions resulting therefrom. The difference in elevation between a point on the original ground and a designated point of higher elevation on the final grade. The material used to make a fill.

214 IMPROVEMENTS

Physical additions, installations, and changes, such as streets, curbs, sidewalks, watermains, sewers, drainage facilities, public utilities, and other appropriate items required to render land suitable for the subdivision and use proposed.

215 IMPROVEMENTS COMPLETION GUARANTEE

Any security which may be accepted by the Mayor and Council to guarantee that the proper construction of improvements be made by the developer as a condition for the approval of the plat, including corporate bonds, escrow agreements, and other similar collateral or surety agreements.

216 LANDOWNER

The legal or beneficial owner or owners of land, including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of the landowners, or other person having a proprietary interest in land; the subdivider of the land, unless the subdivider be the authorized agent of the landowner.

217 LOT

A parcel or plot of land used or set aside and available for use as the site of one or more buildings and buildings accessory thereto, or for any other purpose, in one ownership and not divided by a street or including any land within the limits of a public or private street right-of-way. The term "recorded lot" means the land designated as a separate and distinct parcel of land on a legally recorded deed or plat filed among the Land Records of the Circuit Court of Garrett County.

217.1 Lot, Corner: A lot abutting two or more streets at their intersections, where the interior angle of the intersection does not exceed 135 degrees.

217.2 Lot, Width: The width of a lot measured at the building setback line.

217.3 Lot Area: The area contained within the property lines of a lot, including the area within all easements, but excluding the area within all streets rights-of-way.

218 LOT LINE

Any boundary line of a lot.

218.1 Lot Line, Front: The street line, which shall be the same as the legal right-of-way line, provided that along streets for which a future right-of-way width is designated and legally adopted, pursuant to Article 66B of the Annotated Code, the front lot line shall be the future right-of-way line thus established.

218.2 Lot Line, Rear: Any lot line which is parallel to or within 45 degrees of being parallel to a street line, except for a lot line that is itself a street line, and except that in the case of a corner lot the owner shall have the option of choosing which of the two lines that are not street lines is to be considered a rear lot line. In the case of a lot having no street frontage or a lot of an odd shape, only the one lot line furthest from any street shall be considered a rear lot line.

218.3 Lot Line, Side: Any lot line which is not a street line or a rear lot line.

219 MAINTENANCE GUARANTEE

Any security which may be accepted by the Town to insure that improvements will be kept in good condition for a designated period after completion of construction and installation, including corporate bonds, escrow agreements, and other similar collateral or surety agreements.



220 MAYOR AND COUNCIL

The elected officials who serve as the Mountain Lake Park Town Government's legislative body.

221 PERSON

A corporation, institution, partnership, trust, association or any other legal entity as well as a natural individual.

222 PLANNING COMMISSION

The Planning Commission of the Town of Mountain Lake Park, appointed by the Mayor and Council pursuant to Article 66B of the Code of Public General Laws.

223 PLAT

A map, plan, chart or drawing indicating the subdivision or resubdivision of land filed or intended to be filed for record.

223.1 Tentative Plan: A drawing of the proposed plat showing the subdivider's desires in regard to the future development of land prepared for informal consideration by the Planning Commission.

223.2 Preliminary Plat: A tentative map indicating the proposed subdivision of land, prepared in accordance with the requirements of these Regulations as a basis for consideration prior to the preparation of the final plat.

223.3 Final Plat: The final map or plan which legally describes the subdivision of land, containing a detailed plan of the property, giving all dimensions, angles, and bearings, together with such information, statements and certificates as required by these Regulations, and presented to the Planning Commission for approval and which, if approved, will be recorded among the land records in the Office of the Clerk of the Circuit Court of Garrett County.

224 RESUBDIVISION

Any change affecting a lot line as shown on a recorded plat.

225 RIGHT-OF-WAY

A strip of land occupied or intended to be occupied by a street, alley, crosswalk, sanitary or storm sewer, drainage ditch, utilities, or for another special use. The usage of the term "right-of-way" for land platting purposes in the Town shall mean that every right-of-way hereafter established and shown on the final plat is to be separate and distinct from lots or parcels adjoining such right-of-way, and not included with the dimensions or areas of such lots or parcels.

226 RIGHT-OF-WAY, FUTURE

The right-of-way width required for the expansion of existing streets to accommodate anticipated future traffic loads or a right-of-way established to provide future access to or through undeveloped land.

227 RUNOFF

The surface water discharge or rate of discharge of a given watershed after a fall of rain or snow that does not enter the soil but runs off the surface of the land.

228 SEWAGE DISPOSAL SYSTEM

228.1 Centralized Sewage Disposal System: A utility system, serving two or more dwelling units, business, commercial, industrial or other establishments, which is designed and operated for the collection, transportation, treatment and disposal of sewage, in compliance with County and State health regulations.

228.2 Private Sewage Disposal System: A system of sewers, pipes, treatment tanks or other facilities serving only a single dwelling unit or a single business, commercial, industrial or other establishment, which is designed and operated for the collection, transportation, treatment and disposal of sewage in compliance with County and State health regulations.

229 SEPTIC TANK

A watertight receptacle which receives sewage or industrial waste and is designed and constructed to provide for sludge storage, sludge decomposition, and to separate solids from the liquid, through a period of detention, before allowing the liquid to be discharged.

230 STREET.

A strip of land, including the entire width of the right-of-way between street lines, used or intended for use by the public for vehicular travel or to provide vehicular access to three (3) or more abutting lots or to principal uses and designed or improved in accordance with these Regulations. Streets are further classified according to the function they perform as follows:

230.1 Arterial Street: Designed for large volumes and high speed traffic with access to abutting properties restricted.

230.2 Major Collector: Designed to carry a moderate volume of traffic from other collector streets and local streets to arterial streets.

230.3 Minor Street: Designed to carry a moderate volume of traffic to intercept local (residential) streets, to provide routes to major collector streets, arterial streets and to community facilities and to provide access to the abutting properties.

230.4 Local Street: Designed to provide access to the abutting properties and a route to collector streets.

230.5 Cul-De-Sac Street: A local street intersecting another street at one end, and terminating in a vehicular turn-around at the other.

230.6 Platted Street: Those streets shown on the plat of the Town of Mountain Lake Park recorded among the land records of Garrett

County Plat Book 1, page 21 and those other streets formally accepted by the Mayor and Town Council subsequent to the filing of the aforesaid plat.

230.7 Platted but Unimproved Street: Shall be:

"Q" Street from Wheeling Ave. to Youghiogheny Ave.  
"P" Street from Wheeling Ave. to Youghiogheny Ave.  
"O" Street from Wheeling Ave. to Youghiogheny Ave.  
"M" Street from Wheeling Ave. to Baltimore Ave.  
Oak Street to Alleghany Drive  
Philadelphia Ave. from "D" Street NW to Corporate boundary  
Hazel Glade Dr. from "E" Street to Oak Street  
Pittsburgh Ave. from "Q" Street to Lake Dr.  
Washington Ave. from "K" Street to "L" Street  
Philadelphia Ave. from "N" Street to Youghiogheny Dr.  
"L" Street from Philadelphia Ave. to Youghiogheny Dr.  
Road from Youghiogheny Dr. to Mt. Lake Park Post Office  
Spruce Street from "H" Street to Route 135  
Lake Dr. from west side of Broad Ford Creek to Baltimore Ave.

231 STREET LINE

The dividing line between the street and the lot. The street line shall be the same as the legal right-of-way line, provided that where a future right-of-way width for a street is officially established pursuant to Article 66B of the Annotated Code, then the street line shall be the side of the future right-of-way so established.

232 SUBDIVISION

The division of a lot, tract or parcel of land into two or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale or of building development. It includes resubdivision and, when appropriate to the context, relates to the process of resubdividing or to the land or territory subdivided.

Legislative intent

Within the authority granted by Article 66B of the Code of Public General Laws of Maryland, the above definition of subdivision included:

- (a) Land offered for sale by a single developer or group of developers acting in concert; where such land is contiguous, or is known, designated or advertised as a common name, such land shall be presumed, without regard to the number of lots covered by each individual offering, as being for sale as part of a common development plan.
- (b) Any development of a parcel of land which involves the installation of streets, driveways or alleys (for example, a shopping center, industrial park, or apartment project), even though such vehicle accessways may not be dedicated to the Town, or the lot, tract or parcel may not be divided for the purpose of conveyance, transfer or sale.

233 SURVEYOR

A professional surveyor registered and/or licensed as such by the State of Maryland.

234 TOWN

Within the context of this Ordinance Town means the elected body of Mountain Lake Park whether known as Mayor and Council, elected officials, governing body or a similar term.

235 WATER SUPPLY SYSTEM

235.1 Centralized Water Supply System: A utility system serving two or more dwelling units, businesses, commercial, industrial or other establishments, which is designed and operated to supply potable water, in compliance with County and State health regulations.

235.2 Private Water Supply System: A utility system serving only one dwelling unit or a single commercial, business, industrial, or other establishment, which is designed and operated to supply potable water, in compliance with County and State health regulations.



Article 3: REQUIREMENTS AND PENALTIES

300 PLATS AND PLAT APPROVAL REQUIRED

300.1 It shall be unlawful for the owner of any land within the area specified in Section 103.1 to make or authorize or permit the subdivision of any lot, or the construction, opening or dedication of any street, sewer, or other facilities in connection with a subdivision, unless and until a plat thereof shall have been approved and recorded in accordance with this Ordinance.

300.2 No plat of a subdivision of land within the area specified in Section 103.1 shall be filed or recorded until it shall have been approved by the Planning Commission in accordance with this Ordinance.

301 PENALTIES AND SANCTIONS

301.1 As provided in Section 7.01 of Article 66B of the Annotated Code of Maryland, 1970 Edition, a violation of this Ordinance is declared to be a misdemeanor.

301.2 Whoever, being the owner or agent of the owner of any land located within a subdivision transfers or sells or agrees to sell or negotiates to sell any land by reference to or exhibition of or by other use of a plat of a subdivision, before such plat has been approved by the Planning Commission and recorded or filed in the Office of the Clerk of the Circuit Court of Garrett County, Maryland, shall forfeit and pay a penalty of not less than two hundred (\$200.) nor more than one thousand (\$1,000.) dollars for each lot or parcel so transferred or sold or agreed or negotiated to be sold; and the description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties or from the remedies herein provided.

301.3 The Mayor and Town Council shall enjoin such transfer or sale or agreement by action for injunction brought in any court of equity jurisdiction or may recover the said penalty by civil action in any court of competent jurisdiction.

SUBDIVISION ORDINANCE AMENDMENT 1992-1

WHEREAS, The Mountain Lake Park Mayor and Town Council duly adopted a Subdivision Ordinance in March, 1981; AND

WHEREAS, The Mountain Lake Park Mayor and Town Council is desirous of amending said ordinance in order to accommodate special or unique circumstances that may be presented during the review and/or approval of a subdivision plat as required by the Ordinance;

NOW, THEREFORE, BE IT RESOLVED by the Mountain Lake Park Mayor and Town Council that Article 4, Administration, of the Mountain Lake Park Subdivision Ordinance shall hereby be amended to include the following sections:

Section 403 Hardship

Where the Planning Commission, by a majority vote of its members, finds that extraordinary hardship may result from strict compliance with these regulations, it may modify the requirements of this ordinance, provided, however, that such modifications will not have the effect of nullifying the intent and purpose of these regulations.

Section 404 Assurances

In granting modifications in accordance with Section 403, the Planning Commission may require such assurances or conditions that will, in its judgement, substantially secure the objectives and purpose of this Ordinance.

Introduction and first reading this 11 day of February 1992.

Second reading and adoption this 25 day of February 1992.

The effective date of this amendment shall be 25 February 1992



Article 4: ADMINISTRATION

400 PLANNING COMMISSION'S AUTHORITY

400.1 As provided by Maryland law, the authority to approve subdivision plats pursuant to the regulations in this Ordinance is vested in the Town Planning Commission.

401 DEVELOPMENT ADMINISTRATOR

401.1 The Planning Commission designates the Town Clerk to serve as Development Administrator for the purpose of receiving and processing applications and plats and performing other duties as specified hereinafter.

401.2 The remuneration, if any, paid to the Development Administrator for performing the duties specified hereinafter shall be in such amount as may be mutually agreeable to the Planning Commission and the Mayor and Council.

402 FEES

Fees to cover the administrative costs of reviewing and approving plats shall be paid by the applicant in accordance with the schedule of charges adopted by the Mayor and Council. Said fees shall be collected by the Development Administrator on behalf of the Town and shall promptly be deposited with the General Fund of the Town.

Article 5: PROCEDURAL REGULATIONS

500 TENTATIVE PLAN

500.1 Purpose

The purpose of the "Tentative Plan" is to give the applicant the opportunity to consult early and informally with the Planning Commission before preparation of the preliminary plat and formal application for approval. The tentative plan procedure is optional to the applicant and is not a prerequisite to the approval of a final plan. This optional procedure, however, is strongly recommended because it gives the applicant an opportunity to resolve problems early in the proceedings and to make necessary modifications and revisions before incurring the expense of preparing the preliminary and final plats.

500.2 Review Procedures

- 500.21 The applicant should submit four (4) copies of the tentative plan, which should show at least the information specified in Section 600.
- 500.22 The Development Administrator shall receive the copies of the tentative plan and shall promptly check said plan to advise the applicant concerning any additional information that might be helpful to the Planning Commission for reviewing the tentative plan.
- 500.23 The Development Administrator shall promptly transmit a copy of the tentative plan to the Planning Commission, a copy to the Mayor and Council, a copy to the Zoning Administrator and a copy shall be retained in the Administrator's files.
- 500.24 At the first regular meeting within more than seven (7) days following receipt of the complete submission by the Development Administrator, the Planning Commission shall review the tentative plan. The applicant is encouraged to attend such meetings to discuss the tentative plan with the Commission.
- 500.25 Within thirty (30) days from said meeting, the Development Administrator shall inform the applicant in writing regarding the Planning Commission's review and evaluation of the tentative plan and regarding any recommendations by the Commission for changes to make the proposed subdivision compatible with this or other Town Ordinances or regulations or with the Town's adopted Comprehensive Development Plan.

501 PRELIMINARY PLAT

501.1 Purpose

- 501.11 The purpose of the preliminary plat is to establish formal conditional approval in order to minimize changes and revisions before a final plat is submitted.
- 501.12 A preliminary plat and all information and procedures relating thereto shall in all respects be in compliance with the provisions of these Regulations.

501.2 Review Procedure

- 501.21 The applicant shall submit four (4) copies of the preliminary plat and application.
- 501.22 The Development Administrator shall receive the copies of the plat and shall promptly check said plat to advise the applicant concerning any additional information that might be necessary for compliance with this Ordinance; if the submission is complete, the Administrator shall accept the plat and collect the specified filing fee, and shall so note on the application form.
- 501.23 The Development Administrator shall promptly transmit one copy of accepted, complete plat and application to the Planning Commission, one copy to the Mayor and Council, one copy to the Town Zoning Administrator, and one copy shall be retained in the Administrator's files.
- 501.24 At the first regular meeting within more than seven (7) days following receipt of the complete submission by the Development Administrator, the Planning Commission shall review the plat and application, and shall receive and consider the comments of the applicant and of any other party of interest. The Planning Commission may require the applicant to provide additional copies of the preliminary plat for review and comment from the Health Department, the County Roads Department, the State Highway Administration and other pertinent agencies.
- 501.25 At said meeting, or within thirty (30) days thereafter, the Commission shall determine whether the preliminary plat meets the requirements of this and other applicable Town Ordinances and regulations; shall review and evaluate the comments regarding the plat made by the applicant, by the County Health Department, or by other parties of interest; and shall inform the applicant, in writing, of the Planning Commission's decision to approve or disapprove the preliminary plat or to approve the plat conditionally subject to such changes or modifications as may be specified in writing by the Planning Commission.

501.3 Approval of the preliminary plat shall constitute conditional approval of the subdivision as to character and intensity of development, but shall not constitute approval of the final plat or authorize sale of lots or construction of buildings.

502 FINAL PLAT

502.1 Purpose

502.11 The purpose of the final plat is to require formal approval by the Planning Commission before plats for all subdivisions are recorded as required by Section 300 of these Regulations.

502.12 Preliminary and final plat procedures may, at the option of the Planning Commission, be executed simultaneously in the case of subdivision plats that comply fully with the requirements for final plats as specified in Section 603.

502.13 A final plat shall be submitted conforming to the changes specified during the review. The final plat and all information and procedures relating thereto shall in all respects be in compliance with the provisions of these Regulations.

502.2 Review Procedures

502.21 The applicant shall submit four (4) copies of the final plat and application.

502.22 The Development Administrator shall receive the copies of the plat and shall promptly check said plat to advise the applicant concerning any additional information that might be necessary for compliance with this Ordinance; if the submission is complete, the Administrator shall accept the plat and collect the specified filing fee, and shall so note on the application form.

502.23 The Development Administrator shall promptly transmit one (1) copy of accepted, complete plat and application to the Planning Commission, one (1) copy to the Mayor and Council, one (1) copy to the Town Zoning Administrator, and one (1) copy shall be retained in the Administrator's files.

502.24 At the first regular meeting within more than seven (7) days following receipt of the complete submission by the Development Administrator, the Planning Commission shall review the plat and application, and shall receive and consider the comments of the applicant and of any other party of interest.



- 502.25 At said meeting or within thirty (30) days thereafter, the Commission shall determine whether the final plat meets the requirements of this and other applicable Town Ordinances and regulations; shall review and evaluate the comments regarding the plat made by the applicant, by the Mayor and Council, by the Town Zoning Administrator, by the County Health Department, or by other parties of interest; and shall inform the applicant, in writing, of the Planning Commission's decision to approve or disapprove the final plat or to approve the plat conditionally subject to such changes or modifications as may be specified in writing by the Planning Commission.
- 502.26 If the final plat is approved, the approval shall be by resolution formally adopted by the Planning Commission, except that such approval shall not be endorsed upon the record plat nor take effect until the subdivider shall have complied with the requirements of Article 9.
- 502.27 The applicant shall then prepare and submit to the Planning Commission two (2) exact copies of the approved final plat on linen, mylar or other stable reproducible material, with the required signatures as specified in Article 6. One (1) copy shall be retained in the Planning Commission's file, and one (1) copy shall be signed by the Chairman or the Secretary of the Planning Commission and shall promptly be returned to the applicant for recording.
- 502.28 Unless the signed copy of the approved final plat is recorded by the applicant in the office of the Clerk of the Circuit Court of Garrett County within 120 days of the date of approval by the Planning Commission, said approval shall lapse and become null and void.

502.3 Effect Of Recording

- 502.31 Recording of a subdivision plat shall constitute an irrevocable offer of dedication to the Town of the streets, parks and other public improvements as shown, except as noted thereon.
- 502.32 Recording of the final plat shall not be deemed to constitute an acceptance by the public of the dedication of any street or other proposed public park or improvement shown on said plat, but improvements so noted for dedication may be accepted by the public through the procedures set forth in Section 503.3.

503 ACCEPTANCE OF STREETS AND IMPROVEMENTS

503.1 Preliminary Inspection

503.11 The applicant shall notify the Town Engineer of the completion of the required improvements.

503.12 The Town Engineer shall:

503.121 inspect the completed required improvements; and

503.122 submit in writing a report to the Town Council, with a copy to the applicant, specifying those items of construction, material, and workmanship, if any, which do not comply with the Town specifications or the approved final plat.

503.13 The applicant upon notification from the Town Engineer shall:

503.131 proceed, at his own cost, to make such corrections as shall be required to comply with the Town specifications and approved final plats; and

503.132 notify the Town Engineer and Town Council upon completion, requesting final inspection.

503.2 Final Inspection

The Town Council and Town Engineer shall make a final inspection with the applicant of all required improvements.

503.3 Acceptance

503.31 The Town Council shall notify the applicant of acceptance of the required improvements if satisfied that the applicant has complied with all specifications and ordinances of the Town. Such acceptance shall be made by resolution formally adopted by the Town Council according to the rules established in Section 26-12 of the Town's Municipal Charter.



Article 6: PLAT PREPARATION REGULATIONS

600 TENTATIVE PLAN

Where the applicant chooses to present a tentative plan before submitting a preliminary plat, the tentative plan should be an accurate sketch of the proposed subdivision and should contain or be accompanied by the information listed below;

- 600.1 Names and addresses of the applicant, the landowner, if different from the applicant, and the applicant's engineer or surveyor;
- 600.2 Boundaries of the property, accurately labeled from deed description or survey;
- 600.3 Streets or other rights-of-way on or abutting the property;
- 600.4 Significant topographic, hydrographic or other physical features, if any, within the property;
- 600.5 Contour lines;
- 600.6 North point, date, and written and graphic scales.

601 PRELIMINARY PLAT

The preliminary plat shall comply with the standards and shall show or be accompanied by the information specified below:

601.1 Drafting Standards

- 601.11 The plat shall be drawn to scale on the format required by the Annotated Code of Maryland or on legal size sheets.
- 601.12 Dimensions, if known, shall be in feet and decimal parts thereof, and bearings in degrees, minutes, and seconds: otherwise, approximate dimensions of proposed features shall be shown.
- 601.13 Each sheet shall be numbered and shall show its relationship to the total number of sheets.
- 601.14 Where any revision is made, or when the plat is a revision of a previously approved plat, dotted lines shall be used to show features or locations to be abandoned and solid lines to show the presently proposed features.

601.15 The plat shall be so prepared and bear an adequate legend to indicate clearly which features are existing and which are proposed.

601.16 The exterior property lines of the subdivision shall be shown as solid heavy lines.

601.2 Information To Be Shown - General

601.21 Name of the subdivision.

601.22 Name and address of the subdivider, and of the owner, if different from the subdivider.

601.23 Name and address of the engineer or surveyor responsible for the plat.

601.24 Present zoning classification.

601.25 Date, north point, and written and graphic scales.

601.26 A location map for the purpose of locating the site to be subdivided, drawn at scale of 600 feet to the inch showing the relation of the tract to adjoining property and to all streets and municipal boundaries existing within one thousand (1,000) feet of any part of the property proposed to be subdivided.

601.27 The words "Preliminary Plat - Not To Be Recorded," shall be shown on the plat.

601.3 Existing Features

Unless otherwise specified the information indicated below shall be shown for all existing features on or within the perimeter of the property proposed to be subdivided.

601.31 The total area of the property, in acres, and the complete boundary survey description showing all courses and distances.

601.32 The location, names and widths of streets, on or written within the perimeter of the property to be subdivided, the location of property lines and names of owners, the location of water courses, sanitary sewers, storm drains, and similar features within four hundred (400) feet of any part of the land to be subdivided.

601.33 Location of all existing monuments.

601.24 Location, size, and ownership of all overhead and underground utilities, and any rights-of-way or easements within the property.

601.35 Contour lines at a vertical interval of two (2) feet where the existing slope is less than ten percent (10%) and at a vertical interval of five (5) feet where the existing slope is ten percent (10%) or steeper.

601.36 Location of existing buildings, the outline of all wooded areas, marshy areas, and areas subject to flooding and where applicable, flood boundaries designated on the Federal Insurance Maps shall also be shown.

#### 601.4 Proposed Layout

601.41 The layout of streets, including names and widths.

601.42 The layout and approximate dimensions of all lots, including approximate area of each lot, in square feet.

601.43 A reference to any land offered for dedication for parks, schools, widening of streets, or other public uses.

601.44 Building setback lines.

601.45 Location and size of storm drains, sanitary sewers, culverts, water courses and all appurtenances thereof, water mains and fire hydrants.

601.46 Rights-of-way and/or easements proposed to be created for all drainage purposes and utilities.

601.47 Tentative profile drawings for all proposed utility lines shown on the plat; these drawings may be submitted as separate sheets.

601.48 Tentative typical cross-sections and center line profiles for each proposed street shown on the preliminary plat; these drawings may be submitted as separate sheets.

601.49 Tentative grading plan and/or plan of the measures to be taken to comply with the Garrett County Grading Permit Ordinance.

601.50 Where the preliminary plat covers only a part of the owner's entire holding, a sketch plan shall be submitted of the prospective street layout for the remainder of the entire holdings.

#### 602 FINAL PLAT

The final plat shall show or be accompanied by the following information:

##### 602.1 Drafting Standards

602.11 The plat shall be drawn at a scale of 1" equals 50' or 1" equals 100'.

- 602.12 The plat shall be a clear and legible white paper print.
- 602.13 Dimensions shall be in feet and decimals to the nearest hundredth of a foot, and the bearings in degrees, minutes and seconds.
- 602.14 Each sheet shall be numbered and shall show its relationship to the total number of sheets.
- 602.15 The boundary line of the subdivision shall be shown as a solid heavy line.
- 602.16 Final plats shall be drawn on the format required by the Annotated Code of Maryland, or on legal size sheets.

602.2 Information To Be Shown - General

- 602.21 Name of the subdivision.
- 602.22 Name and address of the subdivider, and of the owner, if different from the subdivider.
- 602.23 Name and address of the engineer or surveyor.
- 602.24 Date, north point, reference meridian and written scale.
- 602.25 A location map for the purpose of locating the site to be subdivided at a scale of not less than six hundred (600) feet to the inch showing the relation of the tract to adjoining property and to all streets, roads, and municipal boundaries existing within one thousand (1,000) feet of any part of the property proposed to be subdivided.
- 602.26 Certification from the Garrett County Health Department approving the water supply and sanitary sewage disposal aspects of the proposed subdivision.
- 602.27 Certification, if applicable, from the County Roads Department and/or the Maryland State Highway Administration, approving all proposed intersections with County or State highways, respectively.

602.3 Existing Features

- 602.31 The total area of the property, in acres, and the complete boundary survey description showing all courses and distances.
- 602.32 The location, names, and widths of streets, the location of property lines and name of owners, the location of water courses, sanitary sewers, storm drains, utility lines, and similar features within four hundred (400) feet of any part of the land to be subdivided.

602.33 Location of existing buildings, the outlines of all wooded areas, marshy areas, and areas subject to flooding and where applicable, flood boundaries designated on the Federal Insurance Maps as accepted by the Mayor and Town Council shall also be shown.

602.4 Proposed Layout

602.41 The layout and accurate dimensions of all lots, including the area of each lot.

602.42 Consecutive numbering of all lots.

602.43 The proposed names, pavement width, and right-of-way width of all proposed streets.

602.44 Sufficient survey data to determine readily the location, bearing and length of every street, lot boundary line, and monument.

602.45 Building setback lines.

602.46 The location, width, and purpose of all easements or rights-of-way, with boundaries identified by bearings and distances.

602.47 Location and size of storm drains, sanitary sewers, culverts, water courses and all appurtenances thereof; water mains and fire hydrants.

602.48 Final profile drawings for all proposed utility lines shown on the plat; these drawings may be submitted as separate sheets.

602.49 Final typical cross-sections and center line profiles for each proposed street shown on the preliminary plat; these drawings may be submitted as separate sheets.

602.50 Final grading plan and/or plan of the measures to be taken to comply with the Garrett County Erosion and Sediment Control Ordinance.

603 RECORD PLAT

603.1 The record plat shall be clear and legible blue or black line print on white opaque linen or mylar or other stable, reproducible material and shall be an exact copy of the approved final plat.

603.2 The following information shall appear on the record plat, in addition to the information otherwise required:

603.21 Seals

603.211 The impressed seal of the registered engineer or surveyor responsible for the plat.

603.212 The impressed corporation seal, if the applicant is a corporation.

603.213 The impressed seal of a notary public or other qualified officer acknowledging the applicant's statement of intent.

603.22 Acknowledgements

603.221 A statement to the effect that the applicant is the owner of the subdivision shown on the final plat, or that the applicant is made with the owner's consent, and that it is desired to record the same.

603.222 Acknowledgement of said statement before an officer authorized to take acknowledgements.

603.23 The following signatures shall be placed directly on the plat in black permanent ink:

603.231 The signatures of the owner or owners of the land. If the owner of the land is a corporation, the signatures of the president and secretary of the corporation shall appear.

603.232 The signature of the notary public or other qualified officer acknowledging the owner's statement of intent.

603.233 The signature of the registered engineer or surveyor who prepared the plat.

603.234 The signature of the chairman or the secretary of the Planning Commission.

603.235 The signature of the County Health Officer of Garrett County.



Article 7: DESIGN REGULATIONS

700 GENERAL STANDARDS

- 700.1 All portions of a tract being subdivided shall be included within lots, streets, public lands, or other proposed uses, so that remnants and landlocked areas shall not be created.
- 700.2 Where large trees, groves, waterways, scenic points, historic sites, or other Town assets and landmarks are located within a proposed subdivision, every reasonable attempt shall be made to preserve these features through the design of the subdivision.
- 700.3 Land subject to flooding and land deemed to be topographically unsuitable shall not be subdivided or developed for residential occupancy or for such other uses as may endanger health, life, or property, or aggravate erosion or flood hazards until all such hazards have been eliminated or unless adequate safeguards against such hazards are provided by the final plats.
- 700.4 Subdivisions shall be designed to avoid the necessity for excessive cut or fill unless unavoidably required by terrain or location.
- 700.5 Any improvements included in a subdivision located along a platted but not opened, or unopened street accepted by the Town, shall comply with all provisions of this Ordinance and be constructed at the subdividers expense.

701 LOT STANDARDS

- 701.1 The size, width, depth, shape, orientation, and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated and shall conform to the requirements of the Town Zoning Ordinance.
- 701.2 All lots shall have direct access to an existing or proposed public street.
- 701.3 Unless clearly impracticable, no lot shall have direct vehicular access to an abutting arterial street; provided, however, that where such direct access cannot be avoided, such lots shall have adequate vehicular turn-around space, no part of which shall lie within the present or future street right-of-way area.
- 701.4 Double or reverse frontage lots may be allowed by the Planning Commission to provide separation of residential development, to overcome specific disadvantages of topography or other features of the proposed subdivision tract.

701.5 Unless clearly impracticable, side lot lines shall be perpendicular or radial to street lines, and lot lines shall coincide with municipal boundary lines.

701.6 The depth of a residential lot shall be not less than one (1) nor more than three (3) times its average width.

## 702 BLOCK STANDARDS

702.1 Block lengths shall not exceed one-thousand six-hundred (1,600) feet nor be less than five-hundred (500) feet.

702.2 Blocks shall be designed with sufficient width to provide two (2) tiers of lots, except that where blocks adjoin arterial streets, railroads, streams or drainage courses, multi-family, commercial or industrial areas, schools, churches or similar land uses, the Planning Commission may approve blocks with only one (1) tier of lots.

702.3 Pedestrian crosswalks not less than ten (10) feet wide shall be required where deemed necessary by the Planning Commission to provide adequate circulation or access to schools, playgrounds, shopping centers or other community facilities.

702.4 Nonresidential blocks designed for business or industry shall be of such length and width as may be determined necessary by the Commission including adequate provision for traffic circulation, off-street parking, deliveries and truck maneuvering.

## 703 GENERAL STREET STANDARDS

703.1 Proposed streets shall be properly related to the transportation plans of the State and the County, and shall conform to the transportation element of the Town Comprehensive Plan. Streets shall be designed to provide adequate vehicular access to all lots or parcels and with due regard for topographic conditions, projected volumes of traffic, and further subdivision possibilities in the area.

703.2 All streets shall, as far as practicable, be in alignment with existing or platted adjacent streets, by continuation of the center lines thereof or by adjustments by curves.

703.3 Proposed local streets shall be designed to discourage through traffic and excessive speeds.

703.4 If the lots in the development are large enough for resubdivision, or if a portion of the tract is not subdivided, suitable access and street openings for such an eventuality shall be provided.

- 703.5 Where it is desirable, in the opinion of the Planning Commission, to provide street access to adjoining property, proposed streets shall be extended to the boundary of such property.
- 703.6 Where a proposed subdivision abuts an existing street having substandard width or alignment, the Planning Commission shall require the subdivision to be designed with adequate land reserve to accomodate correction of the substandard condition, and may, subject to Maryland law, require the dedication of such reserved land.
- 703.7 If warranted by conditions of drainage, residential location and density, traffic or parking, the Planning Commission shall require the subdivider to install gutters.
- 703.8 Proposed streets which are in alignment with others existing and named, shall bear the names of the existing streets, and in no other case shall the name of a proposed street duplicate or phonetically resemble the name of an existing street within the same postal district, irrespective of the use of the suffix street, road, avenue, boulevard, drive, way, place, court, land or the like.

704 STREET DESIGN STANDARDS

- 704.1 The design of all proposed streets, and the provisions for improvements to existing streets, within or abutting a subdivision shall be based upon the standards specified in this section 704.2.
- 704.2 The minimum design features of all streets in a proposed subdivision shall be as follows:

Design Feature

704.21	Minimum right-of-way width (in feet)	50
704.22	Minimum number of traffic lanes	two
704.23	Minimum width of each traffic lane (in feet)	10
704.24	Minimum number of parking lanes	two
704.25	Minimum width of parking lanes (in feet)	8
704.26	Minimum width of stabilized shoulders, or if permitted in lieu of parking lanes (in feet)	10
704.27	Minimum horizontal curve radius (in feet)	150
704.28	Minimum length of tangent between reverse curves (in feet)	50

- 704.29 Minimum grade along centerline (in percent) 0.75
- 704.30 Maximum grade along centerline (in percent) 10
- 704.31 Minimum sight-distance along centerline at vertical curves (in feet) 150
- 704.5 Whenever street centerlines are deflected more than five degrees ( $5^{\circ}$ ), connection shall be made by horizontal curves.
- 704.6 Vertical curves shall be used at changes of grade where the difference exceeds one percent (1%).
- 704.7 The provisions of sub-section 704.2 notwithstanding, the Planning Commission may authorize grades not exceeding fifteen percent (15%) for a distance not exceeding six hundred (600) feet on local streets where extreme topographic constraints prevent compliance with these regulations.

705 STREET INTERSECTION STANDARDS

- 705.1 Streets shall intersect at right angles whenever practicable, and in no case shall two streets intersect with an angle of intersection at the centerline of less than sixty degrees ( $60^{\circ}$ ).
- 705.2 Multiple intersections involving the junction of more than two (2) streets shall not be permitted.
- 705.3 Two (2) streets intersecting a third street from opposite sides shall either intersect with a common centerline or their centerlines shall be offset by a distance of one hundred fifty (150) feet between centerlines measured along the centerline of the street being intersected.

706 CUD-DE-SAC STREET STANDARDS

- 706.1 Dead-end streets are prohibited unless designed as cul-de-sac streets or designed for future access to adjoining properties.
- 706.2 Any dead-end street which is constructed for future access to an adjoining property or because of authorized stage development, and which is open to traffic and exceeds two hundred (200) feet in length, shall be provided with a temporary, all-weather turnaround.
- 706.3 Cul-de-sac streets, permanently designed as such, shall not exceed eight hundred (800) feet in length or shall not furnish access to more than twenty-five (25) dwelling units.

706.4 All cul-de-sac streets, whether permanently or temporarily designed as such, shall be provided at the closed end with a fully paved turn-around.

706.41 If parking will be prohibited on the turn-around, the minimum radius to the pavement edge or curb line shall be forty (40) feet, and the minimum radius to the right-of-way shall be fifty (50) feet.

706.42 If parking will be permitted on the turn-around, the minimum radius to the pavement edge or curb line shall be fifty (50) feet, and the minimum radius to the right-of-way line shall be sixty (60) feet.

#### 707 STORM DRAINAGE STANDARDS

707.1 The subdivider shall provide storm drains, culverts, drainage-ways, or other works adequate to collect and carry all water originating on or flowing across the property without inundating or damaging neighboring roads, lots or other properties.

707.2 Wherever curbs and gutters are installed or when the Town Engineer determines that the natural surface drainage will be inadequate, the subdivider shall install a storm water sewer system with catch basins appropriately spaced along the streets in the subdivision. Valley gutters extending laterally across the street surface shall not be permitted.

707.3 A natural surface drainage system shall be permitted when curbs and gutters are not to be installed and the natural drainage will, in the opinion of the Town Engineer, adequately drain the storm water from the subdivision. The drainage-ways should be shallow swales sown in grass, and shall be designed in conformance with the Garrett County Erosion and Sediment Control Ordinance.

707.4 Roadside drainage-ways shall not be disrupted by private drive-ways; the subdivider shall install a suitable pipe of adequate size to permit the free flow of water at those points where such driveways intersect roadside drainage-ways.

#### 708 SANITARY SEWAGE DISPOSAL STANDARDS

708.1 The subdivider shall provide for the most effective type of sanitary sewage disposal which is consistent with the natural features, location, and proposed development of the site, and which shall in all cases be in strict compliance with the standards and requirements of the Maryland Department of Health and Mental Hygiene. The following types of sanitary sewage disposal are listed in order of preference:

- 708.11 Connection to an existing centralized sewage treatment and disposal system.
- 708.12 Installation of a centralized sewage treatment and disposal system.
- 708.13 Installation of capped sewers, plus the approved temporary use of on-lot private sewage disposal systems.
- 708.14 Use of approved on-lot private sewage disposal systems consisting of septic tanks with tile fields.
- 708.2 Connection to a centralized sewage disposal system shall be required where such a system can feasibly be provided to the proposed subdivision and where such a system can adequately fulfill the sewage disposal needs of the subdivision.
- 708.3 Where a public sanitary sewer system is not yet accessible to the site, but is planned for extension to the subdivision within ten (10) years, the subdivider shall install such sewer lines, including lateral connections, as may be necessary to provide adequate service to each lot when connection with the centralized sewerage system is made. The sewer lines shall be suitably capped at the street right-of-way line. When capped sewers are provided, approved on-site private disposal systems shall also be provided.
- 708.4 Where a centralized sewage disposal system cannot feasibly be provided to the proposed subdivision tract or is not planned for extension to the proposed subdivision, the Planning Commission may require the subdivider to submit a sewage feasibility report prepared by a registered engineer.
- 708.5 Where a new centralized sewage disposal system is to be provided by the subdivider, the subdivider shall submit adequate evidence that the system has been approved by the relevant agencies of the State of Maryland, and shall also submit evidence satisfactory to the Planning Commission of the adequacy of provisions for continuing operation and maintenance of said system.
- 708.6 In subdivisions where a centralized sewage disposal system will not be provided, all lots intended for dwelling units shall be adequate to meet Maryland health requirements for the safe functioning of on-lot private sanitary sewage disposal systems consisting of septic tanks and tile absorption fields. ✓
- 709 WATER SUPPLY AND DISTRIBUTION STANDARDS - to be determined and specified by the Garrett County Sanitary District.



Unless exemptions are granted by the Maryland Public Service Commission, all new or related pipelines, electric power and energy transmission and distribution lines and cables, and telephone and telegraph lines and cables shall be installed underground in accordance with the Rules and Regulations of the Maryland Public Service Commission adopted November 1, 1968, or as hereafter amended.

Article 8: IMPROVEMENT SPECIFICATION REGULATIONS

800 PURPOSE AND GENERAL REQUIREMENTS

- 800.1 The purpose of this Article is to establish and define the public improvements which will be required to be constructed by the subdivider as a condition for final plat approval.
- 800.2 All construction shall be complete in accordance with the specific conditions of the commitment and the approved drawings and specifications.
- 800.3 All improvements installed by the subdivider shall be constructed in accordance with the design specifications of the Town. Where there are no applicable municipal specifications, or County or State specifications which apply, the Planning Commission may authorize that specifications be prepared by a Registered Professional Engineer, such preparation to be at the sole expense of the subdivider.
- 800.4 Supervision of the installation of improvements required shall in all cases be the responsibility of the Town or of the appropriate State regulatory agency.
- 800.5 When changes from the approved drawings and specifications become necessary during construction, written acceptance by the Planning Commission acting with the advice of the Town Engineer, shall be secured before the execution of such changes.

801 STREET, CURB AND SIDEWALK SPECIFICATIONS

- 801.1 In all respects in which standards for required street improvements are not specified herein, the applicable standard requirements of the Maryland State Highway Administration shall govern, and all work shall be performed in accordance therewith.
- 801.2 Streets shall be graded to the full width of the right-of-way, surfaced and improved to the grades and dimensions shown on the approved plans, profiles, and cross-sections.
- 801.3 Prior to laying of street surface, adequate subsurface drainage for streets and underground utilities shall be provided and installed by the subdivider.
- 801.4 Materials and construction requirements for streets shall be as follows:
- 801.41 Subgrade shall be compacted to 90% of maximum density according to A.S.T.M. D-698.

801.42 Roadways and shoulders shall have a sub-base with an approved type bank-run gravel of not less than six (6) inches compacted depth; the gravel shall be applied in a minimum of two (2) courses.

801.43 The surface of all roadways shall be two (2) inches of bituminous concrete and tack coat over the six (6) inch base or two (2) inches of cold mix and tack coat over the six (6) inch base or tar and chips per State Highway Administration Specifications.

801.5 Curbs, if required, shall be either the vertical type or the rolled type, except that rolled curbs shall not be used on streets whose grade exceeds six (6) percent.

801.6 Sidewalks, if installed, shall be built according to the specifications in Article 35.04 of the Maryland State Highway Adm. standards.

## 802 SEWAGE DISPOSAL SYSTEM SPECIFICATIONS

802.1 Where a centralized sewage disposal system is required as a condition to approval of the final plat, the subdivider shall install said system in accordance with the plans and specifications approved by the Maryland Department of Health and Mental Hygiene.

802.2 Whenever a subdivider proposes to sell unimproved lots within a subdivision and when private on-lot sewage disposal systems are proposed for use within the subdivision, the subdivider shall require (by deed restriction or otherwise) as a condition of the sale of each lot within the subdivision, that such facilities shall be installed by the purchaser of each lot at the time that a principal building is constructed and in accordance with the Regulations of the Maryland Department of Health and Mental Hygiene.

## 803 WATER SUPPLY SYSTEM SPECIFICATIONS - to be determined and specified by the Garrett County Sanitary District.

## 804 STORM DRAINAGE AND EROSION CONTROL SPECIFICATIONS

804.1 Storm drainage systems shall be installed in accordance with the design standards and requirements of these Regulations and of the County Grading Permit Ordinance.

804.2 Inlets shall be placed at points of abrupt changes in the horizontal or vertical directions of storm sewers, at points where the flow in gutters exceeds three (3) inches, and at a maximum distance of six hundred (600) feet apart. In streets, inlets shall normally be located along the curb line and at or between the curb radius points.

804.3 Storm sewers shall have a minimum diameter of fifteen (15) inches and shall be made of reinforced concrete or bituminous coated corrugated metal.



804.4 Open channels shall be designed to handle without overflowing, the calculated runoff from a storm of twenty-five (25) year frequency.

804.5 The responsibility and requirements for soil erosion and sedimentation control during the installation of improvements and the development of the subdivision or land development shall be in accordance with the Garrett County Sediment and Erosion Control Ordinance.

#### 805 MONUMENT SPECIFICATIONS

805.1 Monuments shall be placed at each change in direction of boundary line; two (2) to be placed at each street intersection and one (1) on one side of each street at angle points and at the beginning and end of curves; utility easements shall be monumented at the beginning and at their end, and areas to be conveyed for public use shall be fully monumented at their external boundaries.

805.2 Monuments shall be placed in the ground after final grading is completed at a time specified by the Town Engineer. Such monuments shall be installed in accordance with Maryland State Law and shall be of concrete at least thirty-six (36) inches in length and six (6) inches in diameter or four (4) inches square with suitable center point and shall be set flush with the ground and to finished grade.

805.3 The center of the monument shall be marked on the top by either a copper dowel, set flush with the top, three-eighths (3/8) inch in diameter and twelve (12) inches long, or by crossed scores at least one-half (1/2) inch deep.

805.4 The corners of all lots shall be marked by galvanized or wrought-iron pipe, or steel bars at least three (3) feet in length and not less than five-eighths (5/8) inch in diameter, the top of the pipe or bar to be set level with the established grade adjoining it.

#### 806 STREET SIGN SPECIFICATIONS

806.1 The subdivider shall erect at every intersection a street sign or street signs having thereon the names of the intersecting streets. At intersections where one (1) street ends or joins with another street, there shall be at least one (1) such street sign.

806.2 Street name plates shall be of metal construction; all corners shall be rounded; the lettering shall be of standard proportions and spacing in accordance with one of the alphabets used by the U.S. Bureau of Public Roads. The plates shall be horizontal. The lower edge of the name plate shall be seven (7) feet above the ground level or curb. The name plate shall be attached to the standard by rust-proof, metal fasteners.

806.3 The standard shall be 4 x 4 treated wood and shall be of sufficient length to permit the same to be embedded in the ground a distance of not less than three (3) feet. The standard shall be embedded in a sleeved, concrete base not less than twelve (12) inches in diameter for a depth of not less than three (3) feet below the surface of the ground.

Article 9: IMPROVEMENT GUARANTEES

900 CONTRACTS

Before the Planning Commission shall cause its approval to be endorsed upon the final plat of any subdivision, and as a prerequisite for the approval thereof:

- 900.1 Required improvements shall be completed, inspected, and accepted by the Town Engineer and Town Council in accordance with Article 5; or
- 900.2 The subdivider shall enter into a written agreement with the Town, in a manner and form approved by the Town Attorney, wherein the subdivider shall agree:
- 900.21 to construct or cause to be constructed, at the subdivider's own expense, all streets, curbs, sidewalks, fire hydrants, drainage facilities, street signs, monuments, water and sewerage facilities, and other improvements shown on said final plat as finally approved, and in strict accordance with the standards and specifications of the Town;
- 900.22 to maintain at the subdivider's own cost the said streets, curbs, sidewalks, fire hydrants, drainage facilities, streets signs, monuments, water and sewerage facilities, and other improvements, until the same are accepted by legal action by the Mayor and Council;
- 900.23 to obtain the easements and releases required when any street, drainage facility, or other improvement wherein a subdivision abuts or traverses land or persons other than the person holding legal title to the lands of the subdivision, at the subdivider's own cost, and to obtain from the owner of the lands so abutted or traversed full releases from all damages which may change in grade, construction, or otherwise, the street, drainage facility, or other improvement, and such releases shall insure to the benefit not only of the owner of the subdivision, but to the Town as well.

901 GUARANTY

- 901.1 To assure the Town that the subdivider will install at his own expense, all improvements mentioned in Section 900.21 above as required by the Planning Commission in strict accordance with the final plats, as finally approved, and with the standards, regulations, and specifications of the Town, and that said improvements will be maintained by the owner until accepted by the Town, the owner shall furnish to the Town cash or bond with



such surety as the Town Council shall approve in an amount sufficient to cover the cost, as estimated by the Town Engineer, of the construction and installation of the aforesaid improvements, until the same shall be accepted by the Town.

901.2 The improvement guaranty shall be conditioned upon:

901.21 The subdivider constructing and installing, or causing to be constructed or installed, in strict accordance with the final plat, as finally approved, and with the Town standards and specifications, the streets, curbs, side walks, fire hydrants, drainage facilities, and other improvements shown on said final plat.

901.22 The subdivider maintaining at his own cost the said streets, curbs, side walks, fire hydrants, drainage facilities, and other improvements, until the same are accepted by the Town for public use.

901.23 The faithful performance by the owner of the contract provided for in these regulations.