

**Spencer County, Kentucky
Ordinance No. 14
Fiscal Year 2010 Series**

An Ordinance Related to Road Construction Phasing and Bonding Requirements

Whereas, the Fiscal Court of Spencer County, Commonwealth of Kentucky has established regulations regarding the construction and bonding of subdivision streets and right-of-ways; and

Whereas, the Court has determined it necessary to revise the development regulations,

Now Therefore, **Be It Ordained** by the Fiscal Court of Spencer County, Commonwealth of Kentucky that subdivision development regulations shall read as follows:

Section One. Subdivision development regulations shall allow for dedication of the streets and right-of-ways to the Spencer County Fiscal Court after completion of the bonding period, Phase V, and does not require a minimal amount of sold houses; however, no lots can be sold nor building permits can be issued until Phases i thru V are complete and all work has been inspected and approved in accordance with the Spencer County Fiscal Court rules and regulations. The subdivision construction process and bonding requirement is as follows:

- Phase I, Drainage: This phase shall consist of construction of all underground structures and miscellaneous appurtenances including but not limited to bridges, reinforced box culverts, pipe culverts, drop box inlets, and headwalls.
- Phase II, Grading: This phase shall consist of grading of the roadway, fill slopes, cut slopes and drainage ditches within the proposed right-of-way.
- Phase III, Utilities: This phase shall consist of placement of all underground utilities including service laterals and encasements within the proposed right-of-way. The plan for plantings/screening will be provided during the design phase and be a condition of approval of the final subdivision plat. It is the responsibility of the developer to coordinate this with the appropriate utility companies. Spencer County Planning & Zoning, County Road Superintendent and County Engineer. The plan for plantings/screening will be provided during the design phase and be a condition of approval of the final subdivision plat.
- Phase IV, Paving: All paving shall be completed in this phase. All right-of-way areas will be seeded at this point.

Phase V, Bonding: The developer will provide the Spencer County Fiscal Court with a bond in the amount of \$160,000.00 per mile of subdivision streets for a minimum period of 12 months. If any of the said streets are to be utilized for future construction phases of the subdivision, the bond will not be released until their completion. The current bond will be reviewed annually with county engineer's input.

Phase VI, Building Permits: Placement of a 12' wide, 4" deep stone construction access pad from the edge of pavement to the edge of proposed right-of-way, including placement of an 18" entrance pipe where applicable is required before any incidental lot grading or a construction permit is issued. It shall be the responsibility of the owner to maintain the construction entrance until the final enhance is complete

Section Two. It is the responsibility of the developer to widen the existing county roads that provide access to the development along its boundary with said development. This work will be phased as outlined above and include, at the owners expense, the relocation/reconstruction of any utilities, drainage structures, entrances and miscellaneous appurtenances disturbed by said construction. The existing county road will be widened from centerline of said road to provide a 20' (minimum) paved width with 2' shoulders. The road widening shall be constructed as follows:

- 1) A 12" wide, 1" milled depth edge key will be constructed along the existing pavement edges.
- 2) The widened paved roadway shall consist of 8" compacted depth dense graded aggregate base (applied in 4" lifts) and 3" compacted depth bituminous base.
- 3) A tack coat and a 1 1/2" compacted depth bituminous surface shall thence be applied over the entire roadway.
- 4) The new pavement section shall thence be tapered back to the existing pavement and shoulder width 50' from the terminus of the widened areas. 8" compacted depth dense graded aggregate base will be used in construction of the taper.

Maintenance of traffic during widening of said road shall be the responsibility of the developer. The plans for existing county road widening including maintenance of traffic plan will be provided during the design phase and be a condition of approval of the subdivision plat. All plans will be designed to meet Kentucky Transportation Cabinet (KYTC) Standards and Specifications. Additionally the developer will provide the Spencer County Fiscal Court with a bond for this work as previously discussed in Phase V, Bonding.

Section Three. This regulation will be used in concert with and as an addendum to the following:

- Revised Zoning Ordinance and Subdivision Regulations (Dated May 1992)
- Procedure for Building of Subdivision Roads in Spencer County (Dated July 1999)
- Kentucky Transportation Cabinet (KYTC) Standards and Specifications for the design and construction of streets and bridges (Current Edition)
- Subdivision Storm Drain Requirements (Dated August 2005)
- Revised Roadway Typical Section (Dated August 2006)
- Specifications for the use of HDPE pipe (Dated December 2008)

Given first reading March, 15 2010

Given second reading and adoption May 17, 2010