

Subdivision Regulations



*City of Muscle Shoals,
Alabama*



April 22, 2008

SUBDIVISION REGULATIONS

for the

City of Muscle Shoals,
Alabama

Adopted 4-22-08

Subdivision Regulations

City of Muscle Shoals,

Alabama

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Article I. General Provisions

Section 101. Enactment and Authority

Under the provisions of title 11, chapter 52 of the Code of Ala. of 1975 [Code of Alabama 1975, § 11-52-1 et seq.], which provisions are hereby made a part hereof, these regulations governing the subdivisions of land are hereby adopted by the City of Muscle Shoals Planning Commission as of the effective date of these regulations. A copy of these regulations will be certified to the probate judge of Colbert County and copies are available from the City Clerk of the City of Muscle Shoals.

Section 102. Jurisdiction

On and after their effective date, these regulations shall govern each and every subdivision of land within the corporate limits and within one and one-half miles of the City of Muscle Shoals' incorporated limits as the same now exists or may hereafter be altered, except that the planning jurisdiction shall terminate at a point equidistant between the Muscle Shoals corporate limit, as extant or subsequently defined, and the corporate limit of another municipality.

Section 103. Purpose

The subdivision regulations are adopted for the following purposes:

1. To protect and provide for the public health, safety, and general welfare of the city and its environs.
2. To guide the future growth and development of the city in accordance with plans and policies adopted pursuant to the comprehensive planning process.
3. To provide for adequate light, air, and privacy to secure safety from fire, flood, and other dangers, and to prevent overcrowding of the land and undue congestion of population.
4. To encourage the orderly and beneficial development of the city and its environs.
5. To protect and conserve the value of land throughout the city and its environs and the value of buildings and improvements upon the land and to minimize the conflicts among the uses of land and buildings.
6. To guide public and private policy and action in order to provide adequate and efficient

transportation, water, sewerage, schools, parks, playgrounds, recreation, and other public requirements and facilities.

7. To provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the city, having particular regard to the avoidance of congestion in the streets and highways, and the pedestrian traffic movements appropriate to the various uses of land and buildings, and to provide for the proper location and width of streets and building lines.
8. To establish reasonable standards of design and procedures for subdivision and resubdivision, in order to further the orderly layout and use of land; and to insure proper legal descriptions and monuments of subdivided land.
9. To insure that the public facilities are available and will have a sufficient capacity to serve the proposed subdivision.
10. To prevent the pollution of air, streams, and ponds; to assure the adequacy of drainage facilities; to safeguard the water tables; and to encourage the wise use and management of natural resources throughout the community and the value of the land.
11. To preserve the natural beauty and topography of the Muscle Shoals area and to insure appropriate development with regard to these natural features.
12. To provide for open spaces through the most efficient design and layout of the land, including the use of average density in providing for minimum width and area of lots, while preserving the density of land as established in the zoning ordinance of Muscle Shoals.

Section 104. Enforcement, Violations, and Penalties

1. Enforcement. It shall be the duty of the planning commission to enforce these regulations by bringing to the attention of the mayor, city council, or city attorney any violations or lack of compliance herewith.

2. Violations and penalties. 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 Muscle Shoals Planning Commission and recorded or filed in the county probate office shall forfeit and pay a penalty of \$100.00 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 provided in this section.

The city may enjoin such transfer or sale or agreement by a civil action for injunction brought in any court of competent jurisdiction or may recover the same penalty provided in this section by a civil action in any court of competent jurisdiction.

State law reference—similar provisions, Code of Ala. 1975, § 11-52-33.

Section 105. Effect of Preliminary Plat Approval

Receipt of the approved copy of the preliminary plat by the subdivider is authorization, subject to the taking of proper permits and to the requirements for waivers as set forth in section 108 herein, to proceed with the construction plan phase of any improvements to the subdivision under the direction and supervision of the city engineer, and/or other supervisory personnel required by the city and subject to the approved construction plans and to proceed with the staking of streets and lots in preparation for the final plat.

Section 106. Effect of Final Approval

Receipt of the approved copy of the final plat by the subdivider is authorization to record the plat in the office of the probate judge of Colbert County, to transfer lots in the subdivision, and to seek a building permit for structures to be erected on any lot. No building permit shall be issued on any structure in any subdivision that has not received final approval and been recorded in the office of the probate judge of Colbert County, Alabama. No building permit shall be issued for any structure in any subdivision that does not fully comply with these regulations.

Section 108. Inspections and As-built Drawings

Final inspections of all improvements shall be performed and accurate as-built construction drawings of all improvements shall be supplied to the City and utility departments prior to the release of any performance bond (or the approval of the final plat of subdivision, where no performance bond was provided).

Section 109. Maintenance Bond Requirements

Prior to the release of any performance bond (or the approval of the final plat of subdivision, where no performance bond was provided), a maintenance bond shall be provided to the Planning Commission to provide warranty against defect in the manufacture, construction or installation of improvements. The amount of the maintenance bond shall be five percent (5%) of the total cost of improvements and shall be available for 12 months following the completion of improvements and the application by the owner for acceptance by the City of Muscle Shoals.

Section 110. Previously Platted Subdivisions

No building permit shall be issued and no construction of improvements shall commence for any lot within a subdivision approved prior to 1980. All such subdivisions shall be resubmitted to the Planning Commission for approval in accordance with the standards provided within these regulations.

Section 111. Covenants and Building Restrictions

No final plat of land within the force and effect of the zoning ordinance shall be approved unless the building restrictions to be established conform with the minimum requirements of the zoning ordinance. If the proposed subdivision does not lie within the force and effect of the zoning ordinance, the preliminary and final plat may be required to contain a statement of the allowable use of each lot and adequate covenants may be required to be recorded establishing use restrictions.

Section 112. Waivers, Variances and Exceptions

Whenever the tract to be subdivided is of such unusual size or shape or is surrounded by such development or unusual conditions that a strict application of the requirements contained in these regulations would result in a substantial hardship or injustice to the property owner, the Muscle Shoals Planning Commission Muscle Shoals Planning Commission may vary or modify such requirements so that the subdivider is allowed to develop his property in a reasonable manner, but so, at the same time, the public welfare and interests of the city are protected and the general intent and spirit of these regulations are preserved.

No waiver, variation, or modification to these regulations shall be effective unless a specific written request is conspicuously noted on the preliminary plat submitted to the commission for approval and such waiver request is specifically approved by the affirmative vote of six members of the commission. Unless a waiver is requested and approved in this manner, it shall be deemed to have been denied by the commission.

In granting variances and modifications to these regulations, the Muscle Shoals Planning Commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified. Any variance or modification thus authorized is required to be entered in writing in the minutes of the Muscle Shoals Planning Commission and the reason that justified the departure to be set forth therein.

Section 113. Conflicts of Interest Prohibited

Under no circumstances shall a preliminary plat, final plat, construction plans of improvements, preliminary master subdivision plan, project inspection, or other materials or labor necessary for compliance with these regulations be prepared, submitted, signed, attested to, carried out or certified by a registered surveyor or registered professional engineer or by a firm, corporation or partnership engaged in the business of engineering and land surveying if that same individual, firm, corporation, or partnership is also employed by, is an official of, is on contract or retainer to the City of Muscle Shoals, Alabama, for the purposes of engineering and/or land surveying.

In addition, any member of the Muscle Shoals Planning Commission or any other planning employees of or technical planning consultants to the commission shall in no case review or enter into deliberations or voting on any matter in which they may have any conflict of interest whatsoever in regard to these regulations.

Section 114. References Incorporated: Higher Standard Shall Prevail

The following specifications are hereby incorporated into these regulations and shall govern the materials and placement of any improvements within a subdivision within the Muscle Shoals planning jurisdiction:

The Muscle Shoals Construction Specifications

“A Policy on the Geometric Design of Highways and Streets,” AASHTO, 5th ed.

Muscle Shoals Stormwater Ordinance (Ord. No. 1266-02, § 1, 1-7-02)

Whenever a conflict shall occur between the standards of this document and those set forth in any specification or standard referenced herein, including but not limited to those specified in this Section, the higher standard of development, as determined by the Muscle Shoals City Engineer, shall apply.

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Article II. Definitions

Section 201. Usage

1. For the purpose of these regulations, certain abbreviations, terms, and words used herein shall be used, interpreted, and defined as set forth in this article.
2. A “person” includes a corporation, a partnership, and an incorporated association of persons such as a club; “shall” is always mandatory; a “building” includes a “structure”; a “building” or “structure” includes any part thereof; “used” or “occupied” as applied to any land or building shall be construed to include the words “intended, arranged, or designed to be used or occupied”.

Section 202. Definitions

1. *Adjoining Property Owner or Owners* – The individual owning property adjoining the tract of land proposed for subdivision development. If the owner of such adjoining property is a corporation, the term shall apply to the officers and agents of such corporation who shall be identified on preliminary plats as adjoining property owners. Owners of property located across streets, alleys, watercourses, drainage easements, and other rights-of-way adjoining the proposed subdivision are, for the purposes of this regulation, adjoining property owners and shall be so identified on all preliminary plats.
2. *Agriculture* – The use of land for agricultural purposes, including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, and animal and poultry husbandry, and the customary accessory uses.
3. *Alley* – A public right-of-way less than 25 feet in width designed to provide secondary access to the side or rear of properties whose principal frontage is on some other street.
4. *Approved Plat* – A plat conforming to the requirements of these regulations that has received the approval of the planning commission and has the signature of those officials authorized to sign the plat under the requirements of these regulations.
5. *Base Flood* – A flood event having a one percent chance of being equaled or exceeded in any given year; i.e. the 100-year flood.
6. *Base Flood Elevation* – The crest elevation in relation to mean sea level expected to be reached by the base flood.

7. *Building* – A roofed structure built for the shelter, housing, or enclosure of persons or property.
8. *Building Line* – A line on a lot parallel to the street line representing the forward limit for the construction of the any portion of a building.
9. *Construction Plans* -- plans and profiles for proposed improvements that are prepared in accordance to these regulations by a professional engineer and depict the proposed layout, materials, and construction specifications for proposed improvements.
10. *City* – The City of Muscle Shoals, Alabama.
11. *City Engineer* – The duly designated engineer of the City of Muscle Shoals, Alabama.
12. *Developer* – The person, firm, or corporation who owns or controls a tract of land proposed for subdivision, and at whose direction plans and surveys for such subdivisions are prepared. The term “developer” also means “subdivider”.
13. *Engineer* – A registered professional engineer in good standing with the state board of registration in Alabama.
14. *Final Plat* – A finished drawing compiled in accordance with these regulations.
15. *Flood Hazard Boundary Map* – A map officially promulgated by the Federal Emergency Management Agency (formerly the Federal Insurance Administration) depicting the boundaries of flood hazard areas in the vicinity of Muscle Shoals covering areas part or all of which extend beyond the area covered by the flood boundary and floodway map. Where two or more flood hazard boundary maps are extant, the one bearing the most recent date shall be considered official.
16. *Floodway* – The channel of a river, stream or other watercourse and the adjacent land areas which must be reserved in order to discharge the 100-year flood without cumulatively increasing the water surface elevation by more than one foot.
17. *Floodway Fringe* – That area of the flood plain lying outside the floodway but still subject to inundation by waters of the base flood.
18. *Lot* – A parcel of land intended for transfer of ownership or for building development, whether immediate or future.
19. *Lot, corner* – A lot abutting upon two or more streets at their intersection.
20. *Lot, through* – A lot other than a corner lot, abutting upon two or more streets.
21. *Lot Width* – The distance between the side lot lines measured at the building line.
22. *Major Street Plan* – The official plan of the planning commission showing the location of existing and planned roadways designed to serve the City of Muscle Shoals and its environs.
23. *Master Plan* – The comprehensive plan of the City of Muscle Shoals and environs duly adopted by the Muscle Shoals Planning Commission.
24. *Planning Commission* – The Muscle Shoals, Alabama Planning Commission.

25. *Preliminary Plat* – A drawing of the proposed design of a subdivision compiled in accordance with all of the requirements of these regulations.
26. *Street* – The entire platted or proposed public way for vehicular and pedestrian traffic, whether designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, lane, place, alley or however otherwise designated.
- a. *Major Street or Arterial* – Those streets designated as such on the major street plan of the City of Muscle Shoals, Alabama, or as may be determined necessary by the city.
 - b. *Secondary Street or Collector Street* – A street supplementary to the major street system and primarily a means of moving traffic between arterials and local system. Direct access to abutting properties is a secondary function and should be avoided. Collector street may be required for entrance roads for large subdivisions or as primary connections streets between adjoining development or properties.
 - c. *Minor Street or Local Street* – A street primarily for access to abutting properties and as interconnection between abutting properties and other streets.
 - d. *Cul-de-sac Streets* – Streets having no outlet at one end.
27. *Subdivision* – The division of a lot, tract, or parcel of land into two or more lots, plots, sites, or other divisions of land, whether described by metes or bounds or by any other description, for the purpose, whether immediate or future, of sale or of building development. It includes mobile home parks, whether lots (spaces) are for rent or sale. It includes resubdivision and, when appropriate to the context, relates to the process of subdividing the land or territory subdivided. Provided, however, that the following is not included within this definition:
- a. The parceling off or sale of tracts measuring five or more acres for residential or agricultural use, provided that the property has thirty (30) feet access to a publicly dedicated and maintained road.
 - b. The parceling off or sale of plots in a cemetery intended for the burial of the dead.
 - c. The partitioning of a tract of land among heirs or claimants through a sale or division, when ordered by a court of competent jurisdiction.
 - d. The conveyance of a portion of one property owner’s previously unplatted land to an owner of directly abutting unplatted land, provided that no such conveyance shall reduce a parcel of land below the minimum area as required by any agency with jurisdiction over that piece of property. Furthermore, the deed conveying said property must recite that the land conveyed is to form a homogenous part of the grantee’s property, is not a separate building lot, and shall not be conveyed to a third party as a separate property unless and until it shall have been subdivided in accordance with applicable subdivision regulations.
 - e. The conveyance of a tract of land of any size to a public utility, provided that the deed shall recite that the said tract shall be used solely as the site for a pumping

station, potable water storage tank, transformer substation, switching facility, valve and/or metering facility, or other similar public utility service facility.

28. *Submission* – The presentation of a plat or plan, prepared in strict conformity to these regulations and the bylaws of the planning commission. The presentation of a plat or plan after the date required shall be termed an inappropriate submission by the planning commission. Likewise, a plat not in compliance in all aspects with plat requirements contained in these regulations shall be ruled an inappropriate submission by the Muscle Shoals Planning Commission.
29. *Surveyor* – A qualified, registered land surveyor in good standing with the state board of registration of Alabama.
30. *Temporary Cul-de-sac* – A cul-de-sac to give access to future subdivisions adjoining the subdivision property. Such temporary cul-de-sacs shall have a minimum right-of-way radius of 60 feet and a paved turning area with a radius of at least 40 feet.
31. *Townhouses* – A row of three or more dwellings flush against each other at the sides or attached at the sides by party walls, each unit of which is designed as a residence for one family.
32. *Utilities* – Distribution system for water, gas, electric, telephone, cable and antenna system, and collection system for sanitary and storm sewer, where appropriate.
33. *Variance* – An approved variation from the minimum standards required by these regulations. Such variances shall be approved only upon application as outlined in these regulations and upon a favorable vote of six members of the planning commission.
34. *Zoning Ordinance* – The duly adopted comprehensive zoning ordinance and all amendments thereto as officially adopted by the Muscle Shoals City Council.

Subdivision Regulations
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Article III. Submission; Approval Procedure; Plat Requirements

Section 301. Overall Procedures

To obtain approval of a proposed subdivision, the developer shall submit to the Muscle Shoals Planning Commission a preliminary and final plat prepared by a registered land surveyor and construction plans of proposed improvements prepared by a registered engineer. Typical subdivisions requiring improvements will proceed in three to four steps:

- 1) a master design plan will be submitted to for review and comment (optional in many cases),
- 2) a preliminary plat will be submitted for review and approval,
- 3) construction plans will be submitted for review and approval,
- 4) a final plat will be presented following completion of all improvements or the presentation of adequate surety for the completion of improvements.

No landowner or developer shall proceed with improvements or sale of subdivided land without the written approval of the Muscle Shoals Planning Commission and receipt of necessary construction permits prescribed by the city engineer.

Section 302. Master Design Plan

A developer presenting a subdivision who owns, leases, or has options to purchase 20 or more acres of additional vacant land contiguous to, but not included in, said subdivision, shall also submit a master design plan depicting the proposed future development of all such land. Such a master design plan is intended to assist the Muscle Shoals Planning Commission in coordinating the phased development of large areas. Acceptance of the master design plan by the Muscle Shoals Planning Commission shall not be deemed equivalent to their granting preliminary plat approval of the development. As a minimum, the master design plan shall contain an outline of the contiguous land from deed legal descriptions and shall show preliminary street and lot layout and areas to be reserved for public purposes. Said plan shall show topography of the adjacent land from existing topographic maps such as USGS quadrangle maps. Where such a master design plan is required, it shall be submitted to the Planning Commission at least 15 days prior to a regularly scheduled meeting of the Muscle Shoals Planning Commission.

Subdivisions that do not meet the above requirements for a master design plan are strongly encouraged nonetheless to present a master design plan for informal review by City staff. The purpose of this plan is to ensure the harmonious coordination of existing and planned developments

and to afford an opportunity to discuss potential difficulties prior to initiating the process of subdivision, minimizing the potential for costly mistakes.

Section 303. Preliminary Plat Procedure

The subdivider shall submit four copies of the preliminary plat to the Muscle Shoals Planning Commission at least 15 days prior to a regularly scheduled meeting of the Muscle Shoals Planning Commission; otherwise, the proposed subdivision shall be considered at the next regularly scheduled meeting where the subdivider has complied with these deadline requirements.

The subdivider shall submit six copies of any requests for variances from any article or section of these regulations along with material to support his claim for relief from appropriate sections or articles.

To defray the costs of notifying interested parties of the preliminary plat, a fee established by the city council shall be paid by the subdivider at the time of filing the preliminary plat. The subdivider and the owners of the land immediately adjoining the proposed subdivision shall be given prior notice by mail at least seven days before the hearing on the preliminary plat, in accordance with the provisions of Code of Ala. 1975, § 11-52-32.

The Muscle Shoals Planning Commission shall approve, approve conditionally, or disapprove such preliminary plat within 30 days after the appropriate submission thereof at its regular meeting unless the subdivider consents to an extension of this period. If approved conditionally, the conditions and reasons therefore shall be stated in the minutes of the Muscle Shoals Planning Commission. If any of the requirements are modified or waived, the reasons for such shall be specified in the minutes of the Muscle Shoals Planning Commission. If the Muscle Shoals Planning Commission should disapprove the preliminary plat, the reasons for such action shall be stated in the minutes, and if possible, recommendations made on the basis of which the proposed subdivision would be approved. A preliminary plat that has been disapproved by the Muscle Shoals Planning Commission shall not be reconsidered for a period of one year from the time of the ruling disapproving the plat, unless all such reasons for disapproval are removed in the resubmission.

The approval of a preliminary plat shall not be deemed as final acceptance, but rather an expression of approval of the layout as submitted on the preliminary plat, and shall allow the developer to proceed according to article I, section 105. Preliminary approval of a proposed subdivision shall lapse at the end of one year, unless the Muscle Shoals Planning Commission grants an extension.

The preliminary plat is a tool for determining the most efficient and economical layout of a site and is intended to ensure quality layout and design and conformity with municipal plans prior to a developer investing in fully detailed engineering studies and plans. Therefore, while construction plans (see Section 304) may be submitted by the developer for review at the same time as the preliminary plat, such concurrent submission is discouraged in order to avoid costly construction plan revisions.

Section 304. Construction Plans

The subdivider shall submit four copies of construction plans of improvements to the Muscle

Shoals Planning Commission at least 15 days prior to a regularly scheduled meeting of the Muscle Shoals Planning Commission; otherwise, the proposed subdivision shall be considered at the next regularly scheduled meeting where the subdivider has complied with these deadline requirements. The construction plans of proposed improvements shall be presented for review by the city engineer and utility departments and all other designated staff. Within 30 days of the receipt of the plans, the Planning Commission shall notify the developer's engineer of discrepancies requiring correction. The construction plans shall conform to all applicable requirements of these regulations except those expressly waived by the Muscle Shoals Planning Commission.

The subdivider and the owners of the land immediately adjoining the proposed subdivision shall be given prior notice by mail at least seven days before the hearing on the construction plans. To defray the costs of notifying interested parties of the Construction Plans, a fee established by the city council shall be paid by the subdivider at each phase of development.

The Muscle Shoals Planning Commission shall approve, approve conditionally, or disapprove such construction plans within 30 days after the appropriate submission thereof at its regular meeting unless the subdivider consents to an extension of this period. If approved conditionally, the conditions and reasons therefore shall be stated in the minutes of the Muscle Shoals Planning Commission. If any of the requirements are modified or waived, the reasons for such shall be specified in the minutes of the Muscle Shoals Planning Commission. If the Muscle Shoals Planning Commission should disapprove the construction plans, the reasons for such action shall be stated in the minutes, and if possible, recommendations made on the basis of which the proposed subdivision would be approved. Construction plans that have been disapproved by the Muscle Shoals Planning Commission shall not be reconsidered for a period of one year from the time of the ruling disapproving the plat, unless all such reasons for disapproval are removed in the resubmission.

Section 305. Construction and Inspection of Improvements

Subdivision improvements shall be constructed under the supervision of an engineer employed by the developer. Construction of subdivision improvements may begin only after the construction plans have been approved and the developer has purchased construction permits from the City of Muscle Shoals. The fees for such permits shall be as prescribed by ordinance. Quality control during construction shall be maintained by three means, as follows:

1. A pre-construction meeting shall be required prior to the commencement of any component or phase of construction activities. The developer and the developer's engineer shall meet with city engineer and appropriate representatives of the City of Muscle Shoals and utility department representatives to discuss construction activities, including the proposed schedule of inspections.
2. The developer's engineer shall ensure that a qualified inspector, experienced in street, water main, and sewer construction, conducts regular inspections during construction of improvements. At minimum, inspections shall occur at the stages of subgrade proofrolling and base proofrolling during the course of construction. The inspector shall maintain a logbook of all inspections, which shall be furnished to the city engineer for review upon completion of construction.
3. The developer's engineer shall notify the city engineer before work begins on each of the

following steps at least 24 hours in advance.

- a. Clearing and grading.
- b. Placing of subbase.
- c. Laying of sanitary [sewer lines], storm pipe, water pipe.
- d. Pouring curb and gutter.
- e. Placing of base.
- f. Putting down plant mix seal.

Upon completion of construction, six sets of as-built plans and profiles shall be delivered to the city engineer. These plans shall show all storm sewer, wastewater, water, gas, and electrical improvements as constructed, including the correct referenced locations and depths of all sanitary sewer stubs, wyes, manholes and water valves. As-built plans shall be tied to State Plane Coordinates.

Section 306. Final plat procedure

A final plat will be considered by the Muscle Shoals Planning Commission once approval of the preliminary plat and construction plans have been granted. The subdivider shall file four copies of the final plat with the Chairman of the Muscle Shoals Planning Commission at least 15 days prior to the date of the meeting of the Muscle Shoals Planning Commission at which it is to be submitted and considered.

1. Approval or disapproval of the final plat shall take place within 30 days after the date of its appropriate submission to the Muscle Shoals Planning Commission unless the subdivider agrees to an extension at that time. If the final plat is disapproved, the grounds for refusal shall be stated in the minutes of the Muscle Shoals Planning Commission. The disapproval of a final plat carries with it the stipulation that it or another plat containing all or a portion of the property cannot be resubmitted for a minimum period of one year, unless all reasons for disapproval shall have been removed.
2. The Muscle Shoals Planning Commission may give approval of the final plat at any of its meetings; however, final notification shall come only from the Chairman of the Muscle Shoals Planning Commission when it has been deemed that all the requirements as set forth herein have been met. This final approval by the Muscle Shoals Planning Commission shall be given on the face of the final plat and shall be given only after the signatures of all other agencies, except the county engineer, have been given. The county engineer's signature, if required, shall be given after all other approvals.
3. Approval of the final plat will not be given until the Muscle Shoals Planning Commission is notified by the city engineer that either:
 - a. All required approved improvements have been installed and completed by the subdivider and all required as-built plans and required test results submitted as required by rules or ordinance; or
 - b. A bond in an amount equal to 1 1/2 times the estimated cost of all such improvements

and approved by the city engineer has been filed. In the event the only improvements remaining to be completed are surface paving and shoulder dressing, a bond will be acceptable with an individual, who is otherwise qualified, as surety thereon. In the event, however, required sewers, curb and gutter work, drainage structures, or base, have not been satisfactorily installed and completed, such bond shall be made with a surety company authorized to engage in the making of surety bonds in and by the State of Alabama. No permit for the construction of houses or housing units in the subdivision shall be issued until the Muscle Shoals Planning Commission has given approval of the final plat, provided that a final plat for a PD-1 and PD-2 planned development prepared in accordance with the Muscle Shoals zoning ordinance may be approved after the commencement of construction on housing units, if the preliminary plat was approved prior to construction and the final plat is substantially identical with the preliminary plat.

4. When application is made for final plat approval, the subdivider shall pay an additional fee to defray the expenses of investigation, hearing, and acting upon the final plat. Said fee shall be established by city council.
5. The final plat shall be filed for record in the office of the probate judge of Colbert County along with any required restrictive covenants (if outside the city limits). The city engineer and the Chairman of the Muscle Shoals Planning Commission shall each be furnished with three prints of the final plat showing the probate judge's recording stamp and the plat book and page number where the final plat is recorded.
6. In any case where a final plat differs substantially from the previously approved preliminary plat, in street layout or in the handling of surface water, drainage, or in lot size, then the Muscle Shoals Planning Commission may require an additional preliminary submission either before or as a condition to approval of the final plat.
7. Where the subdivider owns land adjacent to that shown on the final plat, drainage easements, or proposed easements, crossing said adjacent lands, necessary to serve the land in the final plat, shall be indicated on the preliminary plat and the Muscle Shoals Planning Commission may require dedication of such easements, at the time of approval of the final plat.
8. No streets will be accepted for maintenance by the City of Muscle Shoals until the city engineer shall have approved the same and the acceptance thereof authorized by the city council in the form of a resolution.
9. The subdivider, or contractor undertaking the construction work for the subdivider, shall file a bond with the city in an amount equal to ten percent of the construction costs of the subdivision improvements. Payment of the proceeds of such bond or any portion thereof shall be to the order of the city as directed by the city engineer for reimbursements of all costs incurred by or on behalf of the city necessary to maintain the streets, sanitary sewers, drainage structures and other improvements for a period of one year following the completion and acceptance of all the improvements in the subdivision by the city.

10. The term “bond” as used in this section shall be deemed to include the deposit of cash with the city clerk in the appropriate amount required under this section; the delivery of a standby letter of credit in favor of the city issued by a financial institution licensed to do business in the State of Alabama, the form and substance of which is acceptable to the city attorney and city clerk and approved by the Muscle Shoals Planning Commission and issued by a company authorized to issue surety bonds in the State of Alabama. Said bond shall also include such other forms of cash collateral or obligations of insurance companies as may be approved as to form and substance by the city attorney, city clerk and approved by the Muscle Shoals Planning Commission from time to time.

Section 307. Resubdivisions and Small Subdivisions

In a case where an existing subdivision lot or lots is re-subdivided, and meets the requirements of the Muscle Shoals Zoning Ordinance and these regulations for size, setbacks, and other requirements, and no improvements are required, and presents no other design or engineering problems in the opinion of the city engineers and the Chairman of the Muscle Shoals Planning Commission, the preliminary plat procedure may be omitted and the final plat procedure shall take effect, provided the petitioner has secured and presented to the Chairman of the Muscle Shoals Planning Commission a written waiver of legal notice and hearing requirements from all adjoining property owners.

In a case where a small subdivision shall contain so few lots, and no other engineering problems, in the opinion of the city engineer and the Chairman of the Muscle Shoals Planning Commission, the preliminary plat may be presented along with, and at the same time of, the final plat. All other procedures shall remain the same.

An existing subdivision to be resubdivided with three or fewer lots involved or a proposed new subdivision containing three or fewer lots may be approved by the city engineer and the Chairman of the Muscle Shoals Planning Commission for immediate recordation as a final plat in the office of the probate judge of Colbert County, provided that:

1. The subdivider has secured and presented to the Chairman of the Muscle Shoals Planning Commission a written waiver of the legal notice and hearing requirements from all adjoining property owners;
2. The lots meet the minimum requirements of all applicable regulations with respect to lot area and widths;
3. The lots have frontage on an existing public street which substantially conforms to the requirements of these regulations;
4. The lots can be served by an existing sanitary sewer, or have been approved for on-site disposal by the health department;
5. No other engineering problems exist in the opinion of the city engineer; and
6. No public interest in a street, easement, or the like will be impaired or placed in doubt.

Section 308. Preliminary Plat Requirements

All preliminary plats presented to the Muscle Shoals Planning Commission shall contain, as a minimum:

1. Name and address of owners and the designer of the plat. Said designer shall be a land surveyor registered to practice in the State of Alabama.
2. Names and addresses of current record (as per the tax assessor's records) of adjoining property owners, which shall include those across public rights-of-way, other rights-of-way, easements, creeks, etc.
3. Date of the plat, north arrow, scale of not less than one inch equals 100 feet, amount of acreage contained in the plat and a statement as to the remaining adjoining acreage the developer or subdivider owns has an option on or leases.
4. Proposed lot layout showing the following:
 - a. Lot dimensions, building lines and back and side setback lines and lot and block numbers and proposed street names. The locations of existing buildings, watercourses, railroads, power lines, bridges, culverts, and drainpipes on the land to be subdivided and immediately adjoining land.
 - b. Rights-of-way, easements, alleys, location and proposed widths
 - c. Proposed subdivision boundaries, with dimensions and tie to nearest government monument, with description of monument
 - d. A statement as to the current and proposed zoning (if applicable)
 - e. A vicinity sketch showing location of proposed site in relation to existing major streets, etc.
 - f. If the proposed subdivision abuts an existing street, the location of any intersecting streets on the other side abutting street shall be depicted
 - g. Evidence from the appropriate governing body (state, county, federal, or city) that the proposed subdivision has access over a publicly dedicated and maintained street or road
 - h. The names, locations, widths, and other dimensions of existing or proposed parks, playgrounds, open spaces or other public property
 - i. If any portion of the land included in, or immediately adjacent to, the proposed subdivision is located within the floodway or the 100-year flood boundary of a stream or river, as depicted on the flood boundary and floodway map, or is located in a special flood hazard area, as depicted on a flood hazard boundary map, then such floodway, boundary, or flood hazard area shall be indicated on the preliminary plat as accurately as possible.
 - j. The following information will be required on the preliminary plat when submitted prior to construction plans:

- i. Any pertinent topographic data, including contours at no more than five feet intervals for slopes over five percent and contours at no more than two feet intervals for slopes less than five percent.
- ii. Approximate locations for proposed storm drains, sanitary sewers with approximate sizes and design data.
- iii. Proposed street profiles, traffic signalization, and sidewalk locations.

Section 309. Construction Plan Requirements

Construction plans of proposed improvements shall include construction plans of proposed streets, sanitary sewers, and drainage structures and shall be prepared by a registered professional engineer. Street design shall conform to the provisions of these regulations and such other specifications as may be promulgated by the city engineer. The construction plans of sanitary sewers shall include sufficient data to insure that the sewers have been designed in accordance with these subdivision regulations. The construction plans of drainage features shall contain sufficient data, including calculations of pipe diameters, runoff velocity in open gutters, and downstream erosion to permit the city engineer to verify the design's conformity to the provisions of these regulations.

Section 310. Final Plat Requirements

The final plat shall be an original drawing on mylar or other high quality reproducible material and shall be tied to an accepted corner based on the U.S. Government Survey. This plat shall also show the following:

1. Tract boundary lines, right-of-way lines of streets, easements, and other rights-of-way, and property lines of lots, with accurate dimensions, bearings, or deflection angles, radii, arcs, central angles of all curves, front building lines and rear and side setback lines.
2. Name, number and right-of-way of each street and other right-of-way.
3. Locations, dimensions, and purposes of any easements.
4. Number to identify each lot or building site and the approved street name or number and street address of each lot.
5. Purpose for which sites, other than residential lots, are dedicated or reserved, it being understood that any reservations of areas for other than residential purposes shall be subject to the proper zoning thereof or being restricted by covenants.
6. Location of monuments.
7. Reference to recorded subdivision plats of adjoining platted land by plat book and page number.
8. Title, graphic scale, north arrow, name and registration number of subdivision engineer, and date, together with the quarter section or quarter sections in which the subdivision is located, the total acres of the subdivision, and the acreage of the platted lots.

9. Space for the approval of the city engineer and the Chairman of the Muscle Shoals Muscle Shoals Planning Commission, county engineer, and, if either is involved, the park and recreation authority, the board of education or the county health department.
10. Certificates and acknowledgements for designer and owner as required in Code of Ala. 1975, § 35-2-51.
11. Final plat shall be drawn on a scale of not less than one inch equals 100 feet. Size shall be such that the plat will be suitable for recording in the probate office of Colbert County, Alabama. The scale of one-inch equals 100 feet, if in the opinion of the city engineer is not practical, may be reduced but in no case shall the scale be less than one inch equals 200 feet.
12. A statement to the fact that the plat designer has closed each lot or parcel and that each lot or parcel mathematically closes to a closure of not less than one to 5,000.
13. Proper identification and notations of any areas subject to flood as required by article XII of these regulations. The developer's engineer [is] to include a statement on the plat if none of the development is located in a flood hazard area.
14. A statement of the allowable use of each lot in the subdivision and four copies of restrictive covenants for approval by the planning commission to insure said use(s) of each lot, if required by the planning commission.
15. A certified statement by the subdivider's engineer that the improvements within this development were designed and installed in accordance with the approved plans and specifications to the best of his or her knowledge.
16. The subdivider's engineer shall submit in writing to the city engineer the estimated cost of all infrastructures within subdivision.

Subdivision Regulations
City of Muscle Shoals
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Article IV. Subdivision Design Principles

Section 401. General Suitability of Land

Land subject to flooding, improper drainage, or severe erosion or that is for topographical or other reasons unsuitable for residential use, and where such problems cannot be solved by sound engineering design shall not be platted for residential use, nor for any other use that will continue or increase the danger to health, safety, or property destruction.

Section 402. Conformity to Comprehensive Plan

All proposed subdivisions shall conform to any city, county, or regional plan and to the city zoning ordinance. Whenever a tract to be subdivided embraces any part of a highway, major street, secondary street, or parkway, so designated on any city, county, or regional plan, such part of such proposed public way shall be platted by the subdivider in the same location and at the same or greater width as indicated on such city, county, or regional plan.

When features of other plans adopted by the planning and zoning commission (such as schools or other public building sites, parks, or other land for public uses) are located in whole or in part in a land subdivision, such features shall be either dedicated or reserved by the subdivider for acquisition within 18 months by the appropriate public agency.

Whenever a plat proposes the dedication of land to public use that the planning and zoning commission finds not suitable for such public use, the planning and zoning commission shall refuse to approve the plat, and shall notify the governing body or the appropriate public agency of the reasons for such action.

Section 403. Name of Subdivision and Streets

The name of any subdivision in the jurisdiction of the planning and zoning commission, or the name of any street in any subdivision, must be approved by the planning and zoning commission, which shall have the sole authority over such names. Subdivision names, or the names of streets in subdivisions, shall not duplicate nor closely approximate the name of any other existing subdivision or street in the planning and zoning commission jurisdiction. Streets that are continuations of existing streets shall bear the same name or number as the existing street.

Section 404. Subdivisions to have Public Access

Access to every subdivision, or part thereof, shall be provided over a public street, road or highway which has been dedicated to the public and has been accepted for maintenance by resolution of the appropriate governing body and shall have a right-of-way width of not less than 50 feet.

Section 405. Reservation for Public Use

In addition to section 402, the planning commission shall have the authority to request the dedication or to require the reservation of up to ten percent of the total land area of any subdivision plan, if the planning and zoning commission deems such land necessary and appropriate to fulfill the purposes and intent of these regulations. Said dedication or reservation of land for public use shall be of suitable size, dimension, topography, and general character and shall have adequate public access, for the particular purposes envisioned by the planning commission. Said dedication or reservation of land in the facilities and the final plat shall be marked in the reserved or dedicated area, as follows and when appropriate, "Reserved for (recreation, education, fire protection, etc.) purposes." In the event that reservation of land is required the city or the appropriate public agency shall have 18 months to acquire said reserved site, after which the reservation shall expire. The subdivider shall make a bona fide attempt to sell such reserved site to the city or the appropriate public agency during the period of reservation and the planning commission shall deny approval of any portion of the subdivision included in such site for the 18-month period of reservation. In the case of optional dedication of land for public use, said dedication shall occur simultaneous to the dedication of other public uses in the subdivision, such as streets and easement. The planning commission, subject to the limitations of the zoning ordinance, may allow lot size reductions in a subdivision in exchange for dedication of such site; provided, that all resultant lot sizes constitute viable building sites when stated building setback requirements are met. In addition, the planning commission shall review plans and plats for proposed landscaping elements within subdivisions.

Subdivision Regulations
City of Muscle Shoals
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Article V. General Requirements for Streets, Rights-of-Way, and Easements

Section 501. Continuation of Existing Street

Existing streets shall be continued at the same or greater width, but in no case less than the required width of right-of-way and pavement specified in these regulations.

Section 502. Street Jogs

Street jogs with centerline offsets of less than 150 feet shall not be permitted.

Section 503. Cul-de-sacs

Except by variance where topographic or other conditions make a greater length unavoidable, cul-de-sacs shall not be greater in length than 800 feet. They shall be provided at the closed end with a turnaround having a property line radius of at least 50 feet with an outside pavement radius of at least 40 feet.

Section 504. Development along Major Street, Limited Access Highway or
Railroad Right-of-Way

Where a subdivision abuts or contains a major street, a limited access highway, or a railroad right-of-way, the Muscle Shoals Planning Commission may require a street approximately parallel to and on each side of such right-of-way either as a marginal access street or at a suitable distance for an appropriate use of the intervening land. Due regard should be given requirements for approach grades and future grade separations in determining distances. Lots shall have no direct access to major streets (or limited access highway), but only to access streets. No-access reserve strips may be required, and insured by adequate covenants.

Section 505. Alleys

Alleys may be required at the rear of all lots used for multifamily, commercial, or industrial developments but shall not be provided in one- and two-family residential developments unless the subdivider provides evidence satisfactory to the Muscle Shoals Planning Commission of the need for alleys. All alleys shall be a minimum of 20 feet in width, and shall be paved to the full width.

Section 506. Reserve Strips

Reserve strips controlling access to street, alleys, and public grounds shall not be permitted unless their control is placed in the hands of the governing body, under conditions approved by the governing body.

Section 507. Easements

Easements shall be coordinated with appropriate utilities. Easements having a minimum width of 10 feet and located along the side or rear lot lines shall be provided as required for utility lines, and underground mains and cables. Storm drainage easements, including off-site easements, will be required when necessary for the control of surface drainage. Each final plat shall contain the following marginal note:

Note: All easements shown on this plat are for public utilities, sanitary sewers, storm sewers, and storm ditches and may be used for such purposes to serve property both within and without this subdivision. No permanent structure or other obstruction shall be located within the limits of a dedicated easement.

Where a subdivision is traversed by a watercourse, drainageway, channel or stream, there shall be provided a storm water or drainage right-of-way of adequate width. Parallel streets may be required by the Muscle Shoals Planning Commission in connection therewith. Where a portion of the subdivision lies within a floodway, as specified on a federal flood hazard map or adopted best available data, a permanent conservation easement shall be located floodway and extending fifty feet (50') from the perimeter or outer edge of the floodway.

Section 508. Surface Drainage

A site grade plan shall be developed so that all lots shall be graded to provide a continuous fall away from buildings without ponding. Due regard shall be given to the accumulative effect of the storm drainage plan so that no portion of the subdivision or adjoining property is damaged or adversely affected. The city engineer shall approve the grading plan. Care shall be taken in grading and drainage planning to ensure proper drainage will be provided after the subdivision is fully developed.

Subdivision Regulations
City of Muscle Shoals
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Article VI. Minimum Design Requirements for Streets

Section 601. Street Right-of-Way Widths

The right-of-way width shall be the distance across a street from property line to property line. Minimum street right-of-way widths shall be as follows and increased accordingly where necessary:

1. Major streets as shown on the major street plan, 100 feet minimum.
2. Collector streets, 80 feet minimum.
3. Minor streets and dead-end streets, 50 feet minimum
4. Alleys, 20 feet.

The rights-of-way shall be graded to their full width so as to produce proper drainage, a pleasing appearance, reasonable grades for driveways, and where required, a sidewalk grade substantially on the same elevation as the top of the curb. The minimum slope shall be one-fourth inch per foot and the maximum slope shall be one inch per foot.

Where the periphery of a proposed subdivision abuts an existing street which is not improved substantially in accordance with these regulations, the developer shall install curb and gutter and shall perform all grading and drainage work otherwise required on that half of the said street which directly abuts his subdivision, provided however that such half-street improvement shall produce a street with a total paving width of not less than 21 feet. The Muscle Shoals Planning Commission may amend or waive this requirement where peculiarities of terrain or other circumstances so dictate.

Section 602. Street Pavement Width

Street pavement widths shall be from back of curb to back of curb and shall be as follows:

1. Major Street, as shown on the major street plan.
2. Collector streets, 40 feet.
3. Minor streets and dead-end streets, 26 feet.
4. Alleys, 20 feet.

Design and construction shall conform to the standards of the Muscle Shoals Construction Specifications.

Section 603. Street Grades

Maximum or minimum street grades shall be as follows, with no grades exceeding the maximum for any length of street except by variance of the Muscle Shoals Planning Commission:

1. Major streets, not in excess of seven percent.
2. Collector streets, not in excess of 12 percent.
3. Minor streets and dead-end streets and alleys, not in excess of 15 percent.
4. No street grade shall be less than one-half of one percent.

Section 604. Horizontal Curvature

The minimum radii of centerline curvature shall be as specified for streets conforming to “A Policy on the Geometric Design of Highways and Streets,” AASHTO, 5th ed.

Section 605. Vertical Alignment

Vertical alignment shall be specified for streets conforming to “A Policy on the Geometric Design of Highways and Streets,” AASHTO, 5th ed.

Section 606. Stub Streets

Where a proposed subdivision abuts unplatted land, the developer shall provide streets stubbed out to the adjoining tract at intervals as required by the planning commission. Such streets shall be located at points where the topography of the adjoining unplatted land will permit their future extension with reasonable ease. Such stub streets shall be paved by the developer to the boundary of the unplatted land unless the Muscle Shoals Planning Commission for reasons of storm drainage, preventing erosion, or other practical considerations, expressly waives this requirement. A stub street that provides the sole access to more than two lots shall be terminated by a temporary cul-de-sac turnaround with a paved radius not less than 40 feet. A developer extending an existing stub street shall remove the turnaround and extend the existing street profile as appropriate.

Section 607. Street Intersections

Street intersections shall be as nearly at right angles as possible. No street intersections shall be at an angle of less than 70 degrees, unless required by unusual circumstances and approved by the Muscle Shoals Planning Commission. Intersections of local streets with major streets shall be minimized.

Section 608. Curblin Radius

The curblin radius at street intersections shall be at least 25 feet. Where the angle of street intersections is less than 90 degrees, the city engineer may require a longer radius.

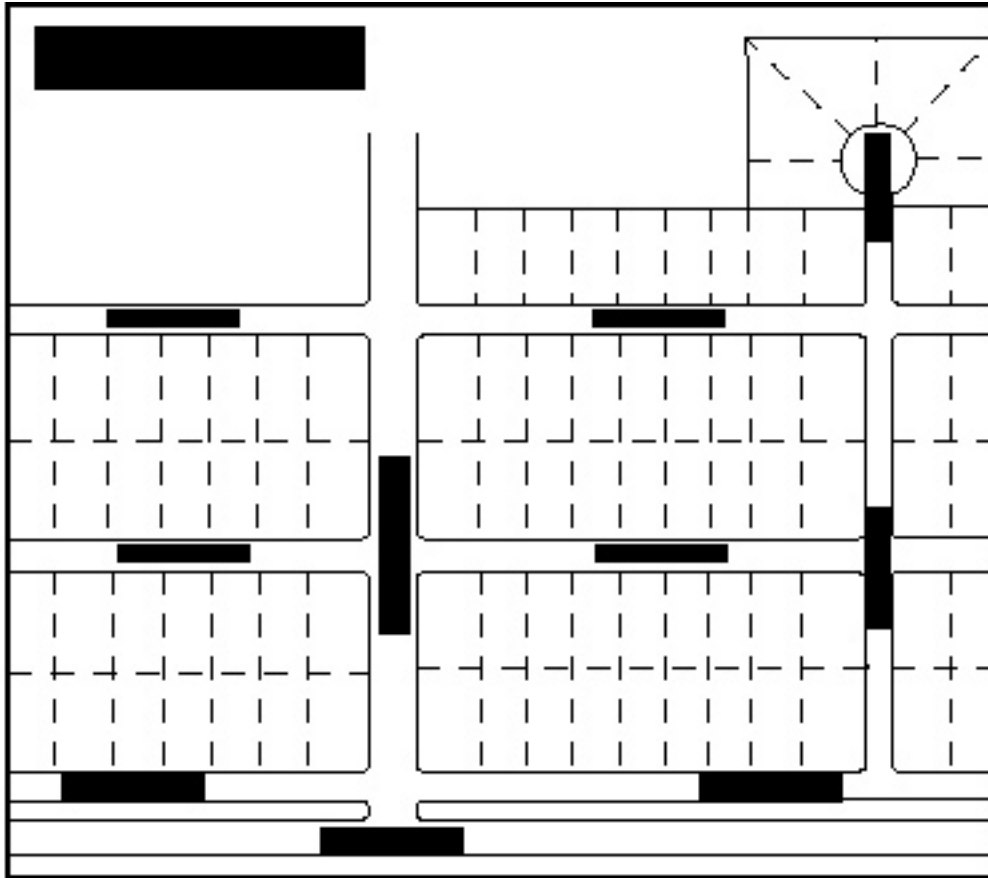


Figure 1. Configuration of streets shall provide access from local streets to collectors and from collectors to major streets and arterials.

Section 609. Construction Specifications

All streets shall be paved and improved in accordance with the Muscle Shoals Construction Specifications and shall be built, paved and improved according to article VI standards and in accordance with cross sections prepared by the subdivider's engineer and approved by the city engineer and Muscle Shoals Planning Commission.

Section 610. Subgrade

Street subgrade shall be cut and prepared in accordance with the Muscle Shoals Construction Specifications. All subgrade shall be cut to the grade as shown on the construction plans.

Section 611. Curb and Gutter

All streets developed within the City of Muscle Shoals and its police jurisdiction shall be provided with concrete curb and gutters conforming to the City of Muscle Shoals Construction Specifications. Standard gutters shall be preferred over the modified curb and gutter.

Section 612. Base Material

All base material shall be installed in accordance with the city of Muscle Shoals Construction Specifications.

Section 613. Paving

All paving material shall be installed in accordance with the City of Muscle Shoals Construction Specifications.

Section 614. Sidewalks

The subdivider shall install a sidewalk on each side of every local, collector or arterial street with a district bounded on the north by Second Street, south by Sixth Street, east by Wilson Dam Road, and west by Woodward Avenue. Sidewalks shall not be required in any phase of any development ongoing at the time of adoption of these regulations. All sidewalks shall be a minimum of four feet in width, four inches in thickness, of 3,000 pounds concrete, and conforming to the concrete specifications of the city engineer. Each sidewalk shall have a minimum lateral drainage slope of one-fourth inch per foot. Curb ramps shall be provided at all intersections to meet ADA requirements. A median strip of grassed or landscaped areas at least two feet wide shall separate all sidewalks from adjacent curbs.

Section 615. Traffic and Street Signs

The subdivider shall install at cost of the developer stop signs, yield signs, stop lines, yield lines and other necessary traffic control signs and devices as shown on the approved preliminary plat. All such signs shall be in compliance with latest version of the Manual on Uniform Traffic Control Devices. The city engineer shall review and comment on the proposed location, appropriateness, need, type and number of traffic signs and devices shown on the preliminary plat prior to approval by the Muscle Shoals Planning Commission.

Section 616. Underground Utilities

When installed underground, electrical cables may be direct-buried or installed in conduit, provided that any such cable placed under the pavement if a public street shall be installed in conduit. Underground electrical cable shall be stubbed out at each street intersection so as to facilitate provision of streetlights.

Subdivision Regulations
City of Muscle Shoals
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Article VII. Design Standards for Lots and Blocks

Section 701. Block Lengths and Widths

Block lengths and widths shall be as follows:

1. Blocks shall be no greater than 1,200 feet nor less than 400 feet in length, except in unusual circumstances, and approved by variance by the Muscle Shoals Planning Commission.
2. Blocks shall be wide enough to provide two tiers of lots of minimum depth, except where abutting upon major streets, limited access highways, or railroads or where other situations make this requirement impractical.

Section 702. Lot Sizes

Lots in the city limits shall meet the lot width and lot area requirements of the zoning ordinance. In those areas outside of the force and effect of the zoning ordinance, lots shall be no less than 75 feet wide at the building line, and contain no less than 9,000 square feet. Front building lines shall be no less than 30 feet.

Lots shall have a depth of not less than 100 feet and not greater than five times the width of the lot at the building line, unless unusual circumstances make these limitations not practical and a variance is granted by the planning commission.

Where individual septic tanks are allowed, the Colbert County health officer may prescribe minimum lot sizes greater than the sizes specified herein to conform to health standards.

Commercial and industrial lots outside of the city limits shall be adequate to provide service areas and off-street parking suitable to the use intended, but in no case less than the standards specified above.

Corner lots shall have adequate width to meet building setback requirements from both abutting streets. Minimum front setbacks shall be established on both frontages.

Lots outside the city limits shall have a minimum side yard setback of five feet and a minimum rear yard setback of 25 feet (see also section 707). Lots in the city limits shall comply with zoning ordinance requirements.

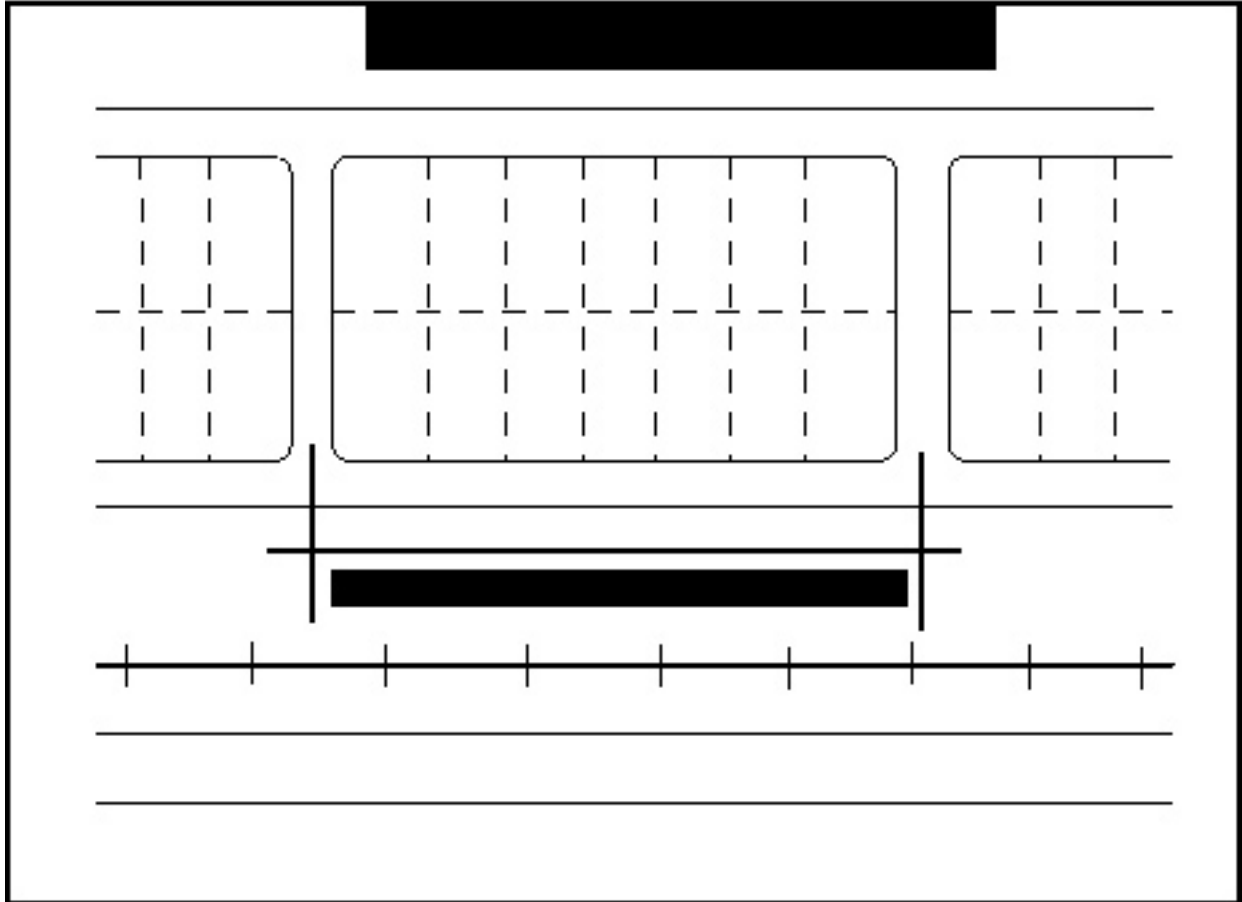


Figure 2. Block Length shall be between 400 feet and 1200 feet in length to provide adequate connectivity and traffic circulation.

Section 703. Lot Lines

All lot lines shall be perpendicular to straight streets or radial to curved street lines, unless not practical because of topographic or other features and a variance is granted by the planning commission.

Section 704. Lots Abutting Public Streets

Each lot shall abut upon a dedicated public street.

Section 705. Double and Reverse Frontage Lots

Double frontage and reverse frontage lots shall be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least ten feet in width, and across which there shall be no right of access, shall be provided along the line of lots abutting such a traffic artery or other disadvantageous use. Adequate covenants shall be recorded to insure the prohibited access across said easement.

In addition, the subdivider shall plant and maintain to maturity an effective opaque, vegetative screen to be planted and maintained according to the instructions of a reputable plant nursery or other qualified person in the field.

Section 706. Monuments and Markers

Each subdivision shall have as a minimum monument pipes 1 1/4 inches in diameter and two feet in length placed at all main control points within the subdivision. Said monuments shall extend no higher than six inches above finished grade. All corners on platted lots shall be marked by a one-half-inch diameter pipe 18 inches long, which may not extend over three inches above finished grade. Location of points of curvature (PC's) and points of tangency (PT's) for street centerlines shall be marked with a monument pipe identical with those used to identify all lot corners in the subdivision. Said PC and PT markers will be placed on each boundary of the right-of-way.

Permanent concrete monuments, approved by a registered land surveyor, meeting the following minimum standards may also be used in lieu of pipes. Such concrete monuments shall be at least four inches square or five inches in diameter and at least two feet in length. Said monuments shall extend no higher than six inches above the finished grade and shall be marked on top with a cross, brass plug, iron rod, or other durable material securely embedded.

Section 707. Lots Abutting Major Streets or Railroads

Residential lots which have rear yards abutting on a major street or railroad shall be platted with a minimum rear yard setback of 200 feet, unless the Muscle Shoals Planning Commission determines that for reasons of topography or other features a lesser rear yard will achieve the same purpose.

Subdivision Regulations
City of Muscle Shoals
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Article VIII. Design Requirements for Drainage and Storm Sewers

Section 801. General Design Criteria

The Muscle Shoals Planning Commission shall not approve any plat or subdivision that does not make adequate provision for storm water runoff. The storm water drainage system shall be separate and independent of any sanitary sewer system. The drainage system shall permit storm water to run off without damage to the subdivision itself, while not contributing to unnecessary downstream flooding caused by the increased speed or concentration. No open ditches shall be allowed in any subdivision unless a well vegetated buffer area 50 feet wide from the top of the bank is left on both sides of the ditch. Also, if there is an existing ditch in the vicinity of the proposed subdivision and the amount and/or rate of flow in that ditch is expected to increase materially due to the development of the subdivision, then the developer may be required by the Muscle Shoals Planning Commission to pipe that ditch. Any culverts or other drainage facilities shall in each case be large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the subdivision. The subdivider's engineer shall also study the effect of the subdivision on existing downstream drainage facilities outside the subdivision. Any local drainage studies shall serve as a guide to needed improvements. Where it is anticipated that the additional runoff incidental to the development of the subdivision based on a 25-year rainfall event will overload an existing downstream drainage facility, the Muscle Shoals Planning Commission may withhold approval of the subdivision until provision has been made for the improvement of said condition. In addition, any detention, retention, and sedimentation offered for dedication to the city shall meet the requirements of Muscle Shoals City Ordinance No. 1266-02, which establishes standards for such improvements.

Section 802. Gutters and Open Channels

Street gutters and other open channels shall be so designed that the velocity in the deepest part of the gutter or channel shall not exceed ten feet per second, and the spread onto the adjacent street shall not exceed 10 feet. The velocity and spread shall be computed by the Manning equation using the depth at a point six inches from the face of the curb as the hydraulic radius. Inlets shall be provided so that surface water is not carried across or around any street intersection, unless this requirement is waived by variance for sound engineering reasons by the Muscle Shoals Planning Commission. When calculations indicate that gutter capacity is exceeded or that gutter runoff velocity exceeds ten feet per second, catch basins shall be used to intercept flow at that point. Cross section of ditches and flumes and all calculations of runoff velocity and gutter capacity shall be set forth on the construction plans. No ditch or flume section shall

be constructed which, in the opinion of the city engineer, lacks the capacity, structural strength, or erosion resistance to discharge runoff from the design storm without suffering damage or requiring more than routine maintenance.

Section 803. Culverts/Storm Sewers

The inside diameter or cross sectional area of culverts or storm sewers to be provided shall be determined by the rational method using a proper coefficient C dependent upon the variations of the surface condition. Allowance for future development shall be included in the determination of the coefficient C. The 25-year frequency storm event shall be used. In no case shall a pipe be used with an inside diameter less than 15 inches. All calculations of culvert size shall be set forth on the construction plans. Types of culverts shall conform to the requirements of the City of Muscle Shoals Construction Specifications. Concrete headwalls or special flared end sections shall be provided on the upstream and downstream ends of all culverts, except where such requirements may be waived by variance granted by the Muscle Shoals Planning Commission.

Section 804. Drainage Structures

All drainage structures, including but not limited to curb inlets, yard inlets, catch basin, and junction boxes shall be constructed in accordance with the Muscle Shoals Construction Specifications.

Section 805. Erosion and Sediment Control

All subdivisions and development shall meet the requirements of the City of Muscle Shoals erosion and sediment control ordinance [see also Article XI].

Section 806. Underdrain

Any subdivision street, which has a median or any other landscape island located within the street right-of-way, must have an underdrain located under the island. Said underdrain system must be designed to prevent water from accumulating under the median and must be connected to the storm sewer system.

Subdivision Regulations
City of Muscle Shoals
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Article IX. Design Requirements for Sanitary Sewers

Section 901. General Design Criteria

Sanitary sewers shall be designed in accordance with “The Utilities Board City of Muscle Shoals Materials and Installation Requirements for Potable Water Lines and Appurtenances and for Sanitary Sewer Lines and Appurtenances”. All material used in the construction of sanitary sewers and appurtenances shall meet the requirements for sanitary sewers as specified in the Utilities Board City of Muscle Shoals Materials and Installation Requirements for Potable Water Lines and Appurtenances and for Sanitary Sewer Lines and Appurtenances.

Subdivision Regulations
City of Muscle Shoals
Colbert County, Alabama

Article X. Water Facilities

Section 1001. General Design Criteria

All water mains in subdivisions served by The Utilities Board City of Muscle Shoals shall be constructed by the developer at his/her cost in compliance with the current Utilities Board City of Muscle Shoals Materials and Installation Requirements for Potable Water Lines and Appurtenances and for Sanitary Sewer Lines and Appurtenances.

Subdivision Regulations
City of Muscle Shoals
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Article XI. Erosion Control

Section 1101. Sediment and Erosion Control Plan

During the construction process, soil is highly vulnerable to erosion by wind and water. Eroded soil endangers water resources by reducing water quality and causing the silting of aquatic habitat for fish and other desirable species. Eroded soil also necessitates repair of sewers and ditches and the dredging of lakes. In addition, clearing and grading during construction cause the loss of native vegetation necessary for terrestrial and aquatic habitat. Therefore, all subdivisions within the City of Muscle Shoals shall comply with the City Sediment and Erosion Control Ordinance (see Appendix C).

The developer of a proposed subdivision shall submit to the Muscle Shoals Planning Commission with the construction plans four copies of a plan to control erosion on the site of the proposed subdivision. Said plan shall be prepared by the subdivider's engineer according to the best available practices of sediment and erosion control and shall consist of a map(s) and a description of the premises setting forth the proposed (a) improvements to be constructed, (b) changes to be made in the contours of the site, and (c) removal or destruction of the natural topsoil, trees, or other natural vegetation on the said described premises.

The city engineer shall review said sediment and erosion control plan and submit written comments to the Muscle Shoals Planning Commission prior to presentation of the construction plans for approval. Written comments shall specifically state the acceptability of the plan, non-acceptability, or any necessary changes to insure adequate erosion control. The city engineer shall also submit written comments to the Muscle Shoals Planning Commission, prior to presentation of a final plat for approval, stating that the sediment and erosion control plan has been carried out in substantial compliance with this section or that the subdivider has failed to comply. Where the city engineer's comments or other validated evidence indicates that the subdivider has not carried out the approved sediment and erosion control plan the Muscle Shoals Planning Commission shall not grant final approval of the subdivision.

Subdivision Regulations

City of Muscle Shoals
Colbert County, Alabama

Article XII. Requirements for Subdivisions Subject to Flooding

Section 1201. Streams Depicted on Flood Boundary and Floodway Map

Land located within the subdivision jurisdiction of the City of Muscle Shoals which abuts on or is bisected by a stream, segment of a stream, or other water body for which the 100-year floodway fringe are depicted on the flood boundary and floodway map shall be subdivided in accordance with the following regulations:

1. Except as provided in section 1202 below, any portion of a proposed subdivision lot which lies within a floodway and an area within fifty feet of the boundary of the floodway shall be designated as a drainage easement on the final plat. The area within the regulatory floodway shall be further identified by the word "floodway." The portion of the lot lying outside the floodway and easement area shall be of such size and configuration as will permit construction of a residence without encroaching upon the floodway easement. The following note shall be set forth on the margin of the final plat in 14-point type or larger:

Note: No filling or construction shall be allowed in the portion of this subdivision designated as "floodway" without the written permission of the Muscle Shoals Planning Commission.

2. Land lying outside the floodway but within the floodway fringe shall be depicted on the preliminary and final plat by means of hatching or shading. There shall be a note on the margin of the final plat indicating that land so hatched or shaded is located in the floodway fringe, and that no house or other structure for human habitation may be built thereon unless the lowest floor (including basement, if any) is constructed at an elevation not less than one foot above the base flood elevation. Each lot or portion of a lot lying within the floodway fringe shall contain a note on the final plat indicating the minimum first floor elevation for any habitable structure to be built thereon, which elevation shall be one foot above base flood elevation or higher. The base flood elevation shall be determined by reference to flood profiles and other data in flood insurance study or best available data.
3. For developments located within the subdivision jurisdiction of the City of Muscle Shoals that abut on or are bisected by a stream, segment of a stream or other water body, base flood elevation data shall be generated for all subdivision proposals, including the placement of mobile home parks and subdivisions, which is greater than 50 lots or five acres, whichever is less.

Section 1202. Channelization by Variance

In the event that a developer requests a variance, according to section 108 of these regulations, to channelize, straighten, narrow, or relocate a floodway, the following procedure shall be employed:

1. The developer's engineer shall submit to the city engineer designs of the proposed change to the floodway channel, together with supporting data such as cross sections, profiles, engineering calculations, and the like demonstrating that the proposed change will accommodate the base flood and will not have the cumulative effect, when combined with all other existing and anticipated development, of increasing the water surface elevation along any significant reach of the stream by more than one foot or of causing other adverse effects upon any part of the drainage system on account of increased stream velocity, eddy action or other phenomena.
2. The developer's engineering report and design shall be submitted to the city engineer, who shall submit written comments upon it to the Muscle Shoals Planning Commission prior to the commission's action on the variance concurring with, or taking exception to, the said engineering report and design. After verifying the accuracy of the plans, profiles, and calculations, the city engineer shall forward them to the Federal Emergency Management Agency with a request that the flood boundary and floodway map be amended if and when the proposed channel improvements are constructed.
3. No subdivision proposing to alter the regulatory floodway shall be approved until certified by the Federal Emergency Management Agency as the proposed changes will accommodate the base flood and will not have the cumulative effect, when combined with all other existing and anticipated development, of increasing the water surface elevation along any significant reach of the stream by more than one foot or of causing other adverse effects upon any part of the drainage system on account of increased stream velocity, eddy action or other phenomena.

Approval by the Muscle Shoals Planning Commission of any plat of a subdivision involving the channelizing, straightening, or relocation of such a stream shall not be construed to constitute an amendment of the flood insurance rate map or the flood boundary and floodway map.

Section 1203. Streams Outside of the City Limits, but in Subdivision Jurisdiction

For subdivisions located within the subdivision jurisdiction of the City of Muscle Shoals that abut on or are bisected by a stream, segment of a stream or other water body for which no floodway is depicted on any flood boundary and floodway map, but along which a special flood hazard area is depicted on a flood hazard boundary map officially promulgated by the Federal Emergency Management Agency, shall be platted as follows:

1. The developer's engineer shall measure the average width of the normal rainy season streambed from top of bank to top of bank. The floodway width shall be deemed to equal five times the width of the normal streambed or 100 feet, whichever is greater. It shall be presumed that the floodway is equally distributed on either side of the centerline of the stream. Land lying outside the floodway boundary, but within the special flood hazard area, shall be deemed floodway fringe land.
2. If owing to topography or other factors, the method prescribed in paragraph (1) above does not yield a reasonable and practical measurement of the floodway, the developer's engineer may offer other information to establish the floodway configuration more precisely in accordance with accepted engineering practice.
3. To determine the base flood elevation, the developer's engineer shall investigate all available sources of information, such as historic flood profiles, eyewitness accounts, and the like. He shall prepare a report setting forth the said elevation, and citing the evidence upon which his estimate is based. The city engineer shall advise the Muscle Shoals Planning Commission in writing prior to approval of the preliminary plat whether or not he concurs with the estimated base flood elevation and whether or not additional research is needed.
4. After receipt of the report from the developer's engineer, together with the comments of the city engineer, the Muscle Shoals Planning Commission shall issue the developer a ruling approving or disapproving the floodway configuration and base flood elevation. The developer's engineer may then proceed to complete the subdivision plans in accordance with the provisions of section 1201.

Subdivision Regulations
City of Muscle Shoals
Colbert County, Alabama

Article XIII. Planned Developments and Condominiums

Section 1301. Site Design Standards and Platting Procedures

Platting requirements for Planned Residential Developments shall comply with the standards established herein for the subdivision of property; however, for the purposes of determining zoning features required for subdivision, the flexible design standards established by Zoning Ordinance provisions for PRD overlay districts shall apply to all subdivisions within such districts.

Subdivision Regulations
City of Muscle Shoals
Colbert County, Alabama

Article XIV. Nonresidential Subdivisions

Section 1401. Design and Layout Standards

If a proposed subdivision in the city limits is zoned for commercial or industrial purposes or a subdivision located outside the city limits is intended for commercial or industrial uses, the layout of the subdivision shall be appropriately altered to suit the anticipated building types, vehicular traffic, parking demand and other characteristics.

In addition to the principles and standards in these regulations, which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the Muscle Shoals Planning Commission that the street, parcel, and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed, but not limited to, the following:

1. Proposed industrial parcels shall be suitable in area and dimensions to the types of industrial development anticipated.
2. Street rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereupon.
3. Special requirements may be imposed by the local government with respect to street, curb, gutter, and sidewalk design and construction.
4. Special requirements may be imposed by the local government with respect to the installation of public utilities, including water, sewer, and storm water drainage.
5. Every effort shall be made to protect adjacent residential areas from potential nuisance from a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for a permanently landscaped buffer strip when necessary.
6. Streets carrying nonresidential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas.
7. Site plan application shall be required for all nonresidential developments within the planning jurisdiction for approval of all city agencies and county agencies as appropriate prior to the issuing of building permits.

Subdivision Regulations
City of Muscle Shoals
Colbert County, Alabama

Article XV. Amendment and Legal Considerations

Section 1501. Amendments

The Muscle Shoals Planning Commission may amend these regulations from time to time after publication and a public hearing as required by law. The Muscle Shoals Subdivision Regulations shall be reviewed not less than once per year and updated as necessary to ensure adequate provisions for health, safety and public welfare.

Section 1502. Saving Clause

These regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing subdivision regulations, or about to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving any right of the city under any section or provision existing at the time of adoption of these regulations, or as vacating or annulling any rights obtained by any person, firm, or corporation by lawful action of the city, except as shall be expressly provided for in these regulations.

Section 1503. Interpretation by the Muscle Shoals Planning Commission

Whenever a subdivider, city official or aggrieved person affected by the administration and enforcement of these regulations finds uncertainty in the interpretation of these regulations, that person shall submit the same in writing to the Muscle Shoals Planning Commission, which shall be the sole authority for interpretation of these regulations.

Section 1504. Regulations to the Minimum Standards

In their interpretation and application, these regulations are considered as minimum standards. Whenever the provisions of these regulations and those of some other valid regulation, ordinance, or statute apply to the same subject matter, that control measure requiring the highest, or more strict, standard shall govern.

Section 1505. Separability

If any part or provision of these regulations or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in the controversy in which such

judgment shall have been rendered, and shall not affect or impair the validity of the remainder of these regulations or the application thereof to other persons or circumstances. The Muscle Shoals Planning Commission hereby declares that it would have enacted the remainder of these regulations even without any such part, provision, or application.

Section 1506. Effective Date

These regulations shall be effective and shall supersede all former subdivision regulations of the City of Muscle Shoals upon the date of their adoption, provided however that proposed subdivisions have received preliminary plat approval prior to the adoption of these regulations shall be allowed to be platted and approved under the conditions imposed at the time of their preliminary approval for a period of nine months after the adoption of these regulations.

Subdivision Regulations
City of Muscle Shoals
Colbert County, Alabama

Article XVI. Mobile Home Park Regulations

Section 1601. Site Design Standards

A mobile home park shall meet the following site standards and regulations:

1. The minimum area for any mobile home park shall be four acres.
2. The maximum density is ten mobile home sites per acre.
3. Minimum front, side, and rear yard setbacks shall be 50 feet at mobile home park boundaries.
4. All minimum interior side yard and rear yard setbacks shall include a minimum of a 15-foot-wide planting area of trees and shrubs to act as a screen between mobile home park and abutting property.
5. Access points shall be located on public streets providing safe and convenient access.
6. No sign or other form of advertising shall be permitted other than that necessary to identify the mobile home park.
7. All mobile home parks shall have hard surface streets well marked and lighted by the mobile home park owner. Those outside city limits for rent only shall meet county road standards: 24 feet wide, hard surface, with four-foot shoulder. Those inside the city limits and all with lots for sale shall meet city road standards: 27 feet wide, asphalt or concrete with curbs, gutters, and sidewalks. All mobile home lots shall abut upon a street and shall have hard surface driveways.
8. The entire area shall be adequately serviced by water and sewer and all mobile homes remaining for a period exceeding 30 days must meet the requirements of the minimum housing code pertaining to mobile homes.
9. No accessory building or structure shall be erected or maintained in any required minimum setback area for the mobile home park or any individual mobile home space nor shall an accessory building or structure be located more than 100 feet from the mobile home it is to serve.

Section 1602. Design Standards for Individual Mobile Home Sites

The following site standards shall apply to individual mobile home spaces within each mobile home park.

1. *Size.* No mobile home space shall be less than 4,000 square feet.
2. *Setbacks.* Minimum front, side and rear yard setbacks shall be as follows:
 - a. Front yard shall be 20 feet.
 - b. Side yards shall be a total of 25 feet with one yard not less than ten feet.
 - c. Rear yards shall be ten feet.
3. *Landscaping.* All minimum setback areas shall be permanently landscaped and maintained with ground cover, trees and shrubs (see landscaping requirements, section 406).

Section 1603. Site Plan Application Required

A site plan application shall be submitted and approved by the city agencies for a mobile home park prior to the issuance of any grading permit or building permits. The plan shall contain the following information:

1. The scale of the map shall not be less than one inch to 50 feet with contours at five-foot vertical intervals showing pertinent topographical features.
2. The location, use, plan, and dimension of each building or structure to be constructed and the location of each mobile home to be parked.
3. The location, dimension and arrangement of all open spaces, yards, access ways, entrances, exits, off-street parking facilities, pedestrian ways, location and width of roads, streets, and sidewalks.
4. Location, dimensions, and arrangement of all areas devoted to planting, lawns, trees or similar purposes, with a description including the height and density of all trees or planting to be used for screening.
5. Location and description of all facilities to be used for sewage disposal, water supply, and storm drainage.

Section 1604. Building Permit Requirements

Each mobile home hereinafter located on a lot for any purpose, residential, commercial, construction site or industrial caretaker use, shall meet the following requirements specified on building permits and enforced by permit and inspection thereof:

1. *Mobile home anchorage.* A mobile home stand shall be installed to provide adequate support for the placement and tie down of each mobile home. The stand shall not heave, shift or settle unevenly under weight of the mobile home due to frost action, inadequate drainage, vibration, wind or other forces action on the structure. Anchors or tie downs such as cast-in-place concrete deadmen, eyelets imbedded in concrete, screw augers or

arrowhead anchors shall be placed at least every 20 feet. Each device shall be able to sustain a minimum load of 4,800 pounds. State law references: Uniform Code for the Anchoring of Mobile Homes Act, Code of Ala. 1975, § 24-5-30 et seq.

2. *Mobile home skirting.* Skirting shall be provided around the entire mobile home, from the bottom of the mobile home to the mobile home stand. The materials used shall be aluminum or other durable siding material.
3. *Existing mobile homes on lots or spaces.* Existing mobile homes will be brought into compliance with these regulations within a period of 18 months after the adoption thereof. The Building Inspector may grant an exception to this requirement in writing to a mobile home owner who presents documentation proving eligibility for food stamps and/or supplemental security income (SSI).
4. *Streets:*
 - a. *General.* All mobile home parks shall be provided with a safe and convenient vehicular access from abutting public streets or roads to each mobile home lot. Streets, driveways or other means shall provide such access.
 - b. *Private streets.* Streets in a mobile home park shall be private, provided that where an adjoining tract of land would have access to public streets only through the mobile home park, at least one street meeting all standards prescribed in the subdivision regulations shall be dedicated to the public for the purpose of providing such access.
 - c. *Entrance streets.* Entrances to mobile home parks shall have direct connections to a public street and shall be designed to allow free movement of traffic on such adjacent public streets. No parking shall be permitted on the entrance street for a distance of 100 feet from its point of beginning.
 - d. *Circulation.* The street system shall provide convenient circulation by means of minor streets and properly located collector streets. Dead-end streets shall be limited in length to 600 feet and their closed end shall be provided with an adequate turnaround (60-foot diameter cul-de-sac). No street of less than two lanes shall be permitted.
 - e. *Pavement widths.* Pavements shall be of adequate widths to accommodate the contemplated parking and traffic load in accordance with the type of street with ten feet minimum moving lanes for collector streets, nine feet minimum moving lanes for minor streets, seven feet minimum lane for parallel parking and in all cases shall meet the following requirements:
 - i. Collector streets with guest parking allowances, 34 feet.
 - ii. Collector streets and all other streets except minor streets without parking allowances, 24 feet.
 - iii. Minor streets serving less than 40 lots (no parking), 18 feet.
 - iv. Pavement widths of interior streets shall be 20 feet minimum

width.

- f. Street grades.* Grades of all streets shall be sufficient to insure adequate surface drainage, but shall not be more than eight percent. Short runs with a maximum grade of 12 percent may be permitted, provided traffic safety is assured.
- g. Intersections.* Street intersections shall generally be at right angles. Offsets at intersections and intersections of more than two streets at one point shall be avoided.
- h. Extent of improvements.* All streets shall be provided with a smooth, hard and dense surface, which shall be durable and well drained under normal use and weather conditions. The surface shall be maintained free of cracks and holes and its edges shall be protected by suitable means to prevent raveling and shifting of the base.
- i. Streetlights.* Lighting shall be designed to produce a minimum of one-tenth foot candle throughout the street system. Potentially hazardous locations, such as major street intersections, shall be individually illuminated with a minimum of three-tenths foot-candle.

5. *Walks:*

- a. General requirements.* All mobile home developments shall be provided with safe, convenient, all-season pedestrian access of adequate width for intended use, durable and convenient to maintain.
- b. Common walk system.* A common walk system shall be provided and maintained between locations where pedestrian traffic is concentrated. Such common walks shall have a minimum width of 4 feet.
- c. Individual walks.* All mobile home stands shall be connected to common walks, or to driveways, or to parking spaces. Such individual walks shall have a minimum width of two feet.

6. *Driveways and Parking Spaces:*

- a. Driveways.* Improved driveways shall be provided on lots where necessary for convenient access to mobile homes. The minimum width shall be ten feet.
- b. Parking spaces.* The design criteria for automobile parking shall be based upon two parking spaces for each mobile home lot. Parking may be in tandem.

Subdivision Regulations
City of Muscle Shoals
Colbert County, Alabama

Article XVIII. Certificates, Certifications, Bonds, Violations, Applications, Check List

- Owner's Certificate
- Surveyor's Certificate
- Certification of the Approval of Streets and Utilities
- Certificates of Approval for Recording
- Performance Bond
- City Council Acceptance of Public Dedication
- Certificate of Approval of the Final Plat by the Planning Commission
- Violation Complaint
- Notice of Violation
- Notice of Citation
- Subdivision Application
- Preliminary Plat Checklist
- Construction Plans/Subdivision Improvements Checklist
- Final Plat Checklist
- Re-subdivision Check List

OWNER'S CERTIFICATE

OWNER'S CERTIFICATE AND DEDICATION. We, the undersigned (name of owner) do hereby certify that we are the owners of and the only person having any right, or interest, in the land shown of the Plat of (name of subdivision), and that the Plat presents a correct survey of the above described property made with consent, and that we hereby dedicate to the public use all the streets shown on said Plat. The easements, as shown on the plat, are created for the installation and maintenance of public utilities. We hereby guarantee a clear title to all lands so dedicated from ourselves and our heirs or assignees forever, and have caused the same to be released from all encumbrances so that the title is clear, except as shown in the abstractor's certificate.

RESTRICTIONS: (if any, follow here)

Witness _____ hand _____ this _____ day of _____
, 20____.

Witness _____

MORTGAGE OWNER'S CERTIFICATE

MORTGAGE OWNER'S CERTIFICATE AND DEDICATION. We, the undersigned (name of owner) do hereby certify that _____ are the owners of a mortgage attached to the land shown of the Plat of (name of subdivision), and that the Plat presents a correct survey of the above described property made with consent, and that we hereby dedicate to the public use all the streets shown on said Plat. The easements, as shown on the plat, are created for the installation and maintenance of public utilities. We hereby guarantee a clear title to all lands so dedicated from ourselves and our heirs or assignees forever, and have caused the same to be released from all encumbrances so that the title is clear, except as shown in the abstractor's certificate.

RESTRICTIONS: (if any, follow here)

Witness _____ hand _____ this _____ day of _____, 20____.

Witness _____

SURVEYOR'S CERTIFICATE

SURVEYOR'S CERTIFICATE, I _____, the undersigned, do hereby certify that I am a professional land surveyor or civil engineer, registered in the State of Alabama, and that the annexed map of (name of subdivision) consisting of _____ sheets, correctly represents a survey made under my supervision on the _____ day of _____, 20____; and that all of the monuments shown hereon actually exist and their positions are correctly shown.

Signature _____

License Number _____

Witness _____

CERTIFICATION OF THE APPROVAL
OF STREETS AND UTILITIES

I hereby certify that the streets, utilities, and other improvements have been installed in an acceptable manner according to City of Muscle Shoals specifications in the subdivision entitled _____, or that a security bond in the amount of \$_____ has been posted with the City of Muscle Shoals to assure proper construction of all requirement improvements in case of default.

20 _____
Muscle Shoals City Engineer

20 _____
Muscle Shoals Electric Board

20 _____
Muscle Shoals Water and Sewer Board

20 _____
North Alabama Gas

(above and any other signatures of approving authorities as required)

CERTIFICATION OF APPROVAL FOR RECORDING

I hereby certify that the subdivision plat for _____ subdivision has been found to comply with the Subdivision Regulations of the City of Muscle Shoals, Alabama, with the exception of such variances, if any, as are noted in the minutes of the Planning Commission, and that it has been approved for recording in the Office of the Probate Judge of Colbert County.

Chairman, Planning Commission

20_____

ATTEST:

Secretary

By _____

Approved as to form and legality this _____ day of _____ A.D., 20_____.

Attorney _____

Approved by the City Council of Muscle Shoals this _____ day of _____, A.D., 20_____.

ATTEST:

Clerk

Mayor

PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS:

That we, _____, as principal and the undersigned Surety, are held and firmly bound unto the City of Muscle Shoals, Alabama, hereinafter called the "City", in the full sum of _____ (\$_____), for the payment of which, well and truly to be made, we, and each of us, bind ourselves jointly and severally, by these presents.

Dated this the ____ day of _____, A.D., 20_____.

The conditions of this obligation are such that,

WHEREAS, PRINCIPAL, has submitted to the Planning Commission, a Preliminary Plat for subdivision of a tract of land described as follows:

AND, WHEREAS, PRINCIPAL, has pursuant to the Subdivision Regulations of the City of Muscle Shoals elected to title this bond in lieu of actual completion of improvements and utilities in the above subdivision.

NOW, THEREFORE, if the PRINCIPAL shall, within _____ month(s) from the date of approval of the Preliminary Plat of the subdivision, faithfully install complete improvements and utilities in the rules and regulation of the City and pay all bills for contractors, subcontractors, labor and materials incurred in completion thereof; and shall hold harmless and indemnify the City and all interest property owners against liability, loss, or damage by reason of failure of PRINCIPAL to faithfully perform the conditions hereof, then this obligation shall be null and void, otherwise to remain in full force and effect; PROVIDED, however, that actions upon this bond by contractors, subcontractors, laborers, or material men shall be limited to six months from and after completion of the improvements and utilities above referred to.

Signed, sealed, and delivered the day and year first above written.

Principal

ATTEST:

Secretary



CITY COUNCIL ACCEPTANCE
OF PUBLIC DEDICATION

Be it resolved by the City Council of the City of Muscle Shoals, Alabama, that the dedication shown on the attached Plat of (name of subdivision) is hereby accepted.

Adopted by the City Council of the City of Muscle Shoals, Alabama, this the _____ day of _____, 20_____.

Mayor

ATTEST:

Clerk

CERTIFICATE OF APPROVAL
OF THE FINAL PLAT BY THE

PLANNING COMMISSION

(to be placed on the plat)

Pursuant to the Muscle Shoals Subdivision Regulation, all the requirements for approval have been fulfilled. The City of Muscle Shoals Planning Commission gave Final Approval of this final plat on

_____.

Secretary

Date _____

CITY OF MUSCLE SHOALS
VIOLATION COMPLAINT

Date of Complaint _____ Complaint Received By _____

Form of Complaint: _____ Citizen _____ Public Official _____ Inspector

Name of Person Filing Complaint: _____

Nature of Complaint: _____

Location: _____

Probable Violation of Article _____, Section _____, of the Muscle Shoals Subdivision Regulations,
described as follows:

Referred for Inspection to: _____

Date of Inspection: _____

Inspection Findings: _____

_____ Violation Found _____ No Violation Found Other: _____

Initial Action Following Discovery of Violation: _____

Notice of Violation Sent On: _____

Other: _____

Follow-Up Inspection Due On: _____

Notes: _____

CITY OF MUSCLE SHOALS
NOTICE OF CITATION

Date of Notice

Name of Property Owner

Mailing Address

City, State, ZIP

Dear (name of property owner) :

On (date upon which initial violation was confirmed) , I investigated and confirmed a violation of the Muscle Shoals Subdivision Regulations on your property located at (street address of subject property) . The nature of this violation is (description of violation) , which violates Article (cite Article number) , (cite Section and subparagraph numbers) of the Subdivision Regulations. Our records show that the Notice of Violation was sent to you on (date that the notice was mailed) and received by you on (date of receipt by property owner) explaining the nature of this violation and requesting that you correct the problem on or before (deadline for correction of violation specified in the notice of the violation) .

On (date of re-inspection) , I performed a follow-up investigation to determine whether or not the violation had been corrected in accordance with the Notice of Violation. My inspection of the property revealed that the violation has not been corrected in accordance with the Subdivision Regulations. Therefore, the City of Muscle Shoals is hereby issuing this Citation to you for failure to correct a violation of the Subdivision Regulations. To correct this violation, you must (specify corrective measures including the amount of the fine that must be paid by the property owner) on or before (ten days after the date of citation) . If this violation is not corrected in full by the aforementioned date, the City of Muscle Shoals will be obligated to file a written complaint with the Municipal Court for relief. If such a complaint is filed, you will be required to appear before the Municipal Court, at a time and date to be determined by the Court, to answer the charge of violation as explained in this Citation. If you have any questions regarding this violation or the subsequent actions that the City will take, please do not hesitate to contact me at (specify contact number and/or email address) during the hours of (specify business hours) .

We appreciate your efforts to resolve this violation as soon as possible. Thank you for your cooperation.

Sincerely,

 (signature of enforcement officer)

Enforcement Officer

CITY OF MUSCLE SHOALS
NOTICE OF VIOLATION

Date of Notice

Name of Property Owner

Mailing Address

City, State, ZIP

Dear (name of property owner) :

On (date of investigation), I investigated and confirmed a violation of the Muscle Shoals Subdivision Regulations on your property located at (street address of subject property). The nature of this violation is (description of violation), which violates Article (cite Article number), (cite Section and subparagraph numbers) of the Subdivision Regulations.

I am writing to request that you take action to correct this violation on or before (specify date by which the violation must be corrected), in order to avoid the issuance of a formal citation and penalty. If you feel that this notice has been issued in error or you feel that an extension to the deadline is necessary, please arrange a meeting with me on or before (date – five business days after the date of notice). I will be happy to discuss this problem with you in greater detail.

Thank you for your help in addressing this problem. The City of Muscle Shoals appreciates your cooperation.

Sincerely,

(signature of enforcement officer)

Enforcement OfficerCITY OF MUSCLE SHOALS

SUBDIVISION APPLICATION

Property owners in the City of Muscle Shoals who wish to subdivide property within the City and within the City's extraterritorial planning jurisdiction must complete a Subdivision Application form. To request Planning Commission approval of a proposed subdivision plan, please complete the following application and return the form with all necessary supporting documentation to City Hall. Incomplete applications will not be processed. For additional information, please call the City of Muscle Shoals at 256-335-7483 during regular business hours.

Applicant Information

Name of Applicant: _____

Mailing Address: _____

Business Hours Telephone Number: _____

Fax Number (if available): _____

NOTE: if the applicant is not the owner of the subject property, then a letter signed by the owner authorizing the applicant to submit the application must accompany the application.

Consulting Engineer Information

(if same as applicant, complete only first three lines)

Name of Lead Consultant: _____

Name of Consulting Firm: _____

Professional Trade Affiliation: [] Engineer [] Surveyor [] Architect

Mailing Address: _____

Business Hours Telephone Number: _____

Fax Number (if available): _____

Property Summary Information

Owner(s) of Record: _____

Street Address of Subject Property: _____

Is Subject Property Located within the City Limits of Muscle Shoals? yes no

Tax Map and Lot Number of Subject Property: _____

Zoning Classification of Subject Property: _____

Size of Subject Property (in acres): _____

Size in Acres of Smallest Lot to be Created: _____

Total Number of New Lots to be Created: _____

Is Subject Property Located Within 300 Feet of a City Water or Sewer Main?
 yes no

Uses to be Allowed in Subdivision: residential industrial commercial

Is Property Located Within a 100-Year Floodplain? yes no

Supporting Information

Full Payment of the Required Application Fee

[] _____ Six (6) prints or copies of a preliminary plat of the proposed subdivision satisfying all requirements of Article V, Section 4.3 of the Muscle Shoals Subdivision Regulations.

[] _____ A listing of the names and mailing addresses of all owners of land immediately adjoining the proposed subdivision property as their names may appear upon the plats contained in the County Tax Assessor's office and as their addresses appear in the directory of the municipality or on the tax records of the municipality or county.

[] _____ A complete list of all local, state, and federal permits or approvals that have been applied for or secured by the applicant for the proposed subdivision as of the date of filing of this application.

Certifications

Applicant:

_____ I hereby certify and attest that, to the best of my knowledge and abilities, the information provided in this application is true and accurate. Further, I agree to provide any additional information within my powers that may be required by the Enforcement Officer, City Engineer, or Planning Commission to determine the compliance of the proposed property construction or improvement activities with the Subdivision Regulations and Zoning Ordinance of the City of Muscle Shoals.

_____ Date Applicant's Signature

Property Owner:

_____ I hereby certify and attest that, to the best of my knowledge and abilities, the information provided in this application is true and accurate. Further, I agree to provide any additional information within my powers that may be required by the Enforcement Officer, City Engineer, or Planning Commission to determine the compliance of the proposed property construction or improvement activities with the Subdivision Regulations and Zoning Ordinance of the City of Muscle Shoals.

_____ Date Property Owner's Signature

FOR CITY OF MUSCLE SHOALS USE ONLY

Enforcement Officer's Information

Date Filed:

Received By:

Application Fee Received: \$ _____ **[] cash [] check #**

Date Reviewed and Deemed Complete:

Enforcement Officer's Signature

Public Hearing Date:

Date Public Hearing was Closed *(if different from above):*

Planning Commission Action on Preliminary Plat: [] Approved [] Denied

Date of Final Action by Planning Commission:

Planning Commission Findings and/or Special Conditions of Approval:

Planning Commission Chair's Signature

PRELIMINARY PLAT CHECKLIST
(Community Planning and Development Department Portion)

Name of Plat _____

Developer's Engineer _____

Copy of Plat Sent To (*check applicable spaces*):

- City Engineer []
- Planning Department []
- Muscle Shoals Police Department []
- Muscle Shoals Fire Department []
- Muscle Shoals Water and Sewer Board []
- North Alabama Gas District []
- Muscle Shoals Electric Board []

PART I: SPECIFICATIONS FOR PLAT DOCUMENT

Meets All Requirements of Section 7.1: [] yes [] no [] NA

List of Items Missing, and Remarks:

PART II: DESIGN PRINCIPLES AND STANDARDS

1. Conformity to Comprehensive Plan:

Meets Requirements of Section 4.1: [] yes [] no [] NA

Remarks: _____

2. Lot Arrangement:

Meets Requirements of Section 4.4: yes no NA

Remarks: _____

3. Minimum Lot Size:

Meets Requirements of Section 4.5: yes no NA

Remarks: _____

4. PUD:

Meets Requirements of Section 4.7: yes no NA

Remarks: _____

5. Condominium:

Meets Requirements of Section 4.8: yes no NA

Remarks: _____

6. Easements:

Meets Requirements of Section 4.10: yes no NA

Remarks: _____

7. Master Plan:

Meets Requirements of Section 6.3: yes no NA

Remarks: _____

PART III: IMPROVEMENTS

1. Parking on Multi-Family Lots:

Meets Requirements of Section 5.4(3): [] yes [] no [] NA

Remarks: _____

Plat Reviewed By: _____ Date _____

Additional Comments: _____

Note: Mail or deliver copy of completed Preliminary Plat Checklist to Developer's Engineer and each member of the Planning Commission at least one week before meeting of Planning Commission.

CONSTRUCTION PLANS/SUBDIVISION IMPROVEMENTS
CHECKLIST

Name of Subdivision _____

Date Construction Plans Received by City Engineering Department _____

PART I: CONSTRUCTION PLANS

A. Horizontal and Vertical Geometry of Streets

1. Maximum Slope of Streets Does not Exceed:

Local Streets	13.5%		
Subcollectors	12%		
Collectors	8%	<input type="checkbox"/>	yes <input type="checkbox"/>

[] yes [] no

_____ Date _____
Authorized Signature

2. Except for short distances, street slopes do not exceed the following:

Local Service Streets	7%		
Subcollectors	5%		
Collectors	4%	<input type="checkbox"/>	yes <input type="checkbox"/>

[] yes [] no

_____ Date _____
Authorized Signature

3. Maximum Slope within 75' of intersection of street centerlines does not exceed 5% for local service streets or 3% for subcollectors/collectors:

[] yes [] no

_____ Date _____
Authorized Signature

4. All streets have a minimum slope of 0.5%:

[] yes [] no

Authorized Signature

Date _____

5. Street centerline radii are not less than:

Local Service Street 100'

Subcollector 150'

Collector 230'

[] yes [] no

Authorized Signature

Date _____

6. Tangent sections between curves not less than the following lengths:

Local Service Street 100'

Subcollector 200'

Collector 600'

[] yes [] no

Authorized Signature

Date _____

7. Minimum site distance (both horizontal and vertical curves is as follows:

Local Service Street 100'

Subcollector 159'

Collector 200'

[] yes [] no

Authorized Signature

Date _____

B. Street Cross Section and Materials Standards

1. Streets conform to one of the cross sections shown in Figures 1, 2, or 3.

[] yes [] no

_____ Date _____
Authorized Signature

2. If answer to B.1. above is no, then an optional cross-section acceptable to the City Engineer is used.

[] yes [] no

_____ Date _____
Authorized Signature

3. Plans comply with all other provisions of Articles VI and VII.

[] yes [] no

_____ Date _____
Authorized Signature

4. Design and specifications for curb, subbase, base, paving, and sidewalks (if applicable) meet all requirements.

[] yes [] no

_____ Date _____
Authorized Signature

C. Storm Drainage

1. Drainage structures & facilities designed and sized per Article VIII. All calculations of pipe size and

gutter runoff velocity are set forth on the construction plans, and have been verified.

yes no

Date _____

Authorized Signature

2. Ditches and flumes, if any, will have capacity, erosion resistance, and strength to discharge runoff from design storm without suffering damage or requirement more than usual maintenance.

yes no

Date _____

Authorized Signature

D. Sanitary Sewers

1. Sanitary sewer design conforms to Article IX and all other requirements of Engineering Department.

yes no

Date _____

Authorized Signature

2. Developer has planned oversized sewers to serve vacant, developable upstream land and has prepared cost estimates, per Article IX, Section 902, as applicable.

yes no

Date _____

Authorized Signature

3. Sewage lift station(s), if any, meet all City and Water Works and Sewer Board specifications.

[] yes [] no

Date _____

Authorized Signature

E. Water Facilities

1. Water facilities meet the City and Water Works and Sewer Board specifications and Article X.

[] yes [] no

Date _____

Authorized Signature

F. Erosion Control

1. Erosion Control Plan meets the requirement of Article XI.

[] yes [] no

Date _____

Authorized Signature

Remarks on construction plans _____

To: Planning Commission

From: City Engineer

Date: _____

The construction plans of the herein described subdivision are [] are not [] considered satisfactory in accordance with the requirements of the Subdivision Regulations and other standards of the Engineering Department. (If not satisfactory, the following changes are needed: _____

_____)

City Engineer

Distribution of Part I:

Furnish copy to Planning Department after Construction Plans have been reviewed and approved. Maintain original in Engineering Department's folder on the subdivision in question.

FINAL PLAT CHECKLIST
(Developer's, Engineer/Surveyors)

Name of Plat _____

Developer _____

Developer's Engineer/Surveyor: _____

The subdivision is tied to an accepted corner based on the U.S. Government Survey

Title, graphic scale, north arrow, name and registration number of the subdivision designer, together with the quarter section(s) in which the subdivision is located are provided.

Tract boundary lines, right-of-way lines of streets, easements, and other rights-of-way, and property lines of lots, with accurate dimensions, bearings, or deflection angles, radii, arcs, and central angles of all curves have been provided.

Right-of-way width of each street or other right-of-way has been provided.

The locations and dimensions of all easements, together with the statement required by Article V have been provided.

Number to identify each lot or building site has been provided.

The purpose for which sites, other than residential lots, are dedicated or reserved has been indicated.

Minimum building setback lines on all lots, as required by Article VII have been provided.

Reference to recorded subdivision plats of adjoining platted land, by plat book and page number has been provided.

Spaces for the approval for the City Engineer, the Secretary of the Planning Commission, the Colbert County Health Department, and the County Engineer.

Yes	No	NA

Certificates and acknowledgements for the designer and owner, as required in Section 35-2-51 of the Code of Alabama, 1975 along with the following statement: "I hereby certify that all parts of this survey and drawing have been completed in accordance with the requirements of the Minimum Technical Standards for the Practice of Land Surveying in Alabama" have been provided.

Yes	No	NA

If the plat is a PUD with private streets, a provision has been provided for the future dedication of any or all of the private streets to the public, if required, and all such private streets have been so identified.

The final plat is drawn to a scale of not less than one-inch equals one hundred feet (1" = 100').

State plane monuments have been provided, as required.

All required improvements have been completed and as-built plans submitted to the City Engineer, or the only improvements remaining to be completed are final surface paving and shoulder dressing and a bond, as required by the Subdivision Regulations, has been provided.

The Source of Title/Information has been provided on the plat.

Signature of Engineer/Surveyor

Date _____

RESUBDIVISION CHECKLIST

Name of Plat _____

Developer's Engineer/Surveyor: _____

The developer has secured and presented to the Planning Director a written waiver of legal notice and hearings from all adjoining property owners.

The lots meet the requirements of all applicable regulations with respect to the lot area and width.

All required improvements as required by the Subdivision Regulations are in place.

The number of lots in the subdivision will not be increased as a result of the re-subdivision by more than two (2) lots or five percent (5%) of the total number of lots, whichever is greater.

No public interest in a street, easement, or the like shall be impaired or placed in doubt as a result of the resurvey.

The Final Plat document meets all requirements of Article III, Section 310.

Yes	No	NA

Plat Reviewed By _____

Date _____

PLAT APPROVED FOR SIGNATURE AND RECORDATION

Date _____

Signature of Reviewer

Note: Place a copy of completed checklist in subdivision folder.

Appendix A. Muscle Shoals Construction Specifications

Appendix B. Muscle Shoals Water and Sewer Board Requirements and
Construction Specifications

The Utilities Board City of Muscle Shoals

Materials and Installation Requirements for
Potable Water Lines and Appurtenances and for
Sanitary Sewer Lines and Appurtenances

1. **PURPOSE OF THESE SPECIFICATIONS:** The Utilities Board City of Muscle Shoals, Alabama, in many instances allows individual developers (hereinafter referred to as “Contractor”) and other similar interests to install potable water and sanitary sewer collection and pumping facilities as a portion of the overall development requirements. All contractors must be currently licensed in the category “Municipal, Utility, and Work Incidental thereto.” After such installations, should all components associated with the installations be those approved by the Board, and should proper workmanship be pursued when constructing such facilities, it is the normal policy of the Board to assume ownership of the potable water and sanitary sewer collection and pumping facilities improvements when such improvements are located within the defined service area of the Board. These specifications are intended to serve as general guidelines regarding the installation of such facilities, and may be amended by the Board as required to facilitate the integrity of installation, or the well being of the health and welfare of the general public.
2. **PLANS OF PROPOSED FACILITES:** All potable water lines and sanitary sewer collection lines and pumping stations shall be properly depicted and presented to the Board as scaled drawings, prepared by the developers certified engineer. Potable water line improvements shall be prepared at a scale of 1”=100’ (or 1”=200’ or other designated scale as may be required by the Board), and appurtenances and services that are proposed shall be clearly indicated. Sanitary sewer collection line improvements shall be prepared at a scale of 1”=50’ for the “plan” portion of the drawings, and a scale of 1”=50’ horizontal and 1”=5’ vertical for the “profile” portion of the drawings. All sanitary sewer collection line improvements drawings shall clearly indicate manhole placements (spacing of no greater than 400 linear feet unless approved otherwise), inlet and outlet invert elevations, top of manhole elevations, line sizes, line slopes in percent, and carrying capacities (gallons per minute) of lines between manhole segments. All existing utilities (water, sewer, gas, power, telephone, cable, etc.) shall be clearly and legibly shown on all drawings, and the elevations of existing utilities shall be shown on all drawings, and the elevations of existing utilities shall be shown where proposed water or sanitary sewer lines are proposed to cross existing utilities. All elevations utilized shall be based on “mean sea level” elevations, and permanent bench marks shall be located and noted on the drawings for sanitary sewer lines such that the spacing between bench marks is no greater than 1,000 linear feet. All drawings shall be prepared by an agency approved by the Board, and all drawings shall clearly indicate the “north” direction. Prior to installation there will be a preconstruction meeting with developer/contractor and the Utilities

Board representative.

3. RECORD DRAWINGS: Upon completion of construction of all work, as a condition prior to acceptance by the Board, the Contractor shall provide the Board with two (2) complete sets of drawings that depict “record” data, reflecting all components as constructed. Data shall show exact locations of all lines and appurtenances, and all service lines shall be clearly marked, complete with reference dimensions such that the services can be easily located in the future.
4. EASEMENTS AND PROPERTY REQUIREMENTS: All easements and property requirements necessary for the proper installation and maintenance of potable water lines and sanitary sewer collection and pumping facilities shall be provided by the Contractor to the Board at no cost to the Board. Easements shall be dedicated to the Board as perpetual “utility easements”, and all properties conveyed to the Board for pumping station sites, etc., shall be fee simple. All easements and properties intended for use shall be adequately described (complete with drawings as may be required) by a professional land surveyor duly registered to perform such work in the state of Alabama, with adequate property ties so as to clearly define the location of the easements and properties. The Board will determine the proper width of all easements required, based on depths of cut during construction, with consideration being also given to widths needed for proper access and maintenance during the ensuing years following completion of construction. The Board reserves the right to require the Contractor to provide additional easement widths in the form of “construction easements”, in addition to the perpetual easements, as may be required to facilitate construction.
5. WARRANTY PERIOD: The Contractor shall be responsible for all operation and maintenance requirements associated with water lines and appurtenances, sewer collection lines and force mains and appurtenances, and sanitary sewer pumping stations and appurtenances for a period of one year following completion of construction, and subsequent acceptance by the Board. Warranty provided shall include all equipment, materials and labor at no cost to the Board, shall include restoration of surface areas due to erosion, including roadway surface (paving) repairs, and shall include “settling” of ditch lines due to inadequate compaction during construction. Upon completion of construction and acceptance by the Board the Contractor shall be provided a written “acceptance” by the Board. The one-year warranty period shall commence on the date of the written acceptance by the Board, or one year following the placement of the newly constructed facilities into service, whichever is the last to occur.
6. SAFETY: The Contractor shall be responsible for initiating, maintaining and supervising all safety precautions and programs in connection with the work continuously, 24 hours per day. Under the terms and conditions of these specifications, neither the Board, nor the Board’s

representatives, shall act as safety engineer or safety supervisor, since such responsibility remains solely with Contractor.

7. GENERAL REQUIREMENTS: All piping materials and accessories included in the work shall meet all applicable requirements of these Specifications. All materials and accessories shall be properly stored and shall be free of all dirt, debris and extraneous materials when installed. After careful inspection by the Board all defective piping materials and accessories shall be removed from the site of the work prior to installation. The Board shall be notified of any and all defective items discovered by the Contractor.

All piping materials and related accessories and components shall be provided and installed by the Contractor. Items provided and installed shall include pipe, services, valves, fittings, couplings, valve boxes, indicators, gaskets, bolts, nuts, supports, hangers, clamps, blocks, brackets, guides, bracing, piers, anchors, valve operators, extensions, stands, manholes and all other components necessary to place the entire installation in first class operating condition. All proper equipment and components necessary for suitable installation shall be provided by the Contractor. Any contractor who installs water or sewer mains must be licensed in the category "Municipal, Utility and Work Incidental thereto".

Ends of piping runs at the end of each workday shall be properly bulkheaded, blocked or plugged in an effort to keep the interior clean and free from all foreign matter. All foreign matter allowed to enter any portion of the piping shall be immediately removed from the piping.

8. WATER FACILITIES REQUIREMENTS

8.1. WATER SUPPLY LINES: Water supply lines shall be PVC Class 200 (AWWA approved), or Ductile Iron, Class 50 equivalent of new rating classifications, Tyton joint or mechanical joint as required by the Board, cement lined and coated. PVC pipe with a higher class rating may be required in some instances. All PVC piping installation shall include a "continuous" run of tracer wire, solid copper, tin-coated, not less than #12 gauge. The physical placement of the tracer wire in the construction trench shall be as directed by the Board. All supply lines shall meet AWWA standards.

8.2. SUPPLY LINE VALVES: Valves for 2: diameter supply lines shall be Clow or Equivalent, full port, resilient seat, short body gate valve. Valves for supply lines larger than 2: diameter shall be Mueller, M & H, Stockham or American brand, of construction

and end connections as designated by the Board. The Board shall also determine if the valves are to be gate type or butterfly. All valves shall meet AWWA standards.

- 8.3. SUPPLY LINE FITTINGS: Fittings shall be fitted with mechanical joint end connections, and shall be ductile iron, compact, or cast iron. Fittings shall be cement lined and coated, and shall meet AWWA standards. Proper concrete bracing and blocking shall be provided for fittings that provide for a change in direction, all as required by the Board.
- 8.4. FIRE HYDRANTS: Fire hydrants shall be Mueller (5.25") main valve opening, with two hose nozzles and one pumper nozzle, dry top design. All hydrants shall "open left". All hydrant laterals shall be 6" diameter, and shall be fitted with an isolation valve. Proper blocking and bracing shall be utilized to provide a rigid installation, free of potential movement. Location and spacing of hydrant assemblies shall be in accordance with the requirements of the Muscle Shoals Utilities Board and Muscle Shoals Fire Marshall. All Fire hydrants will be installed to Final grade elevation.
- 8.5. WATER SERVICE LINES: Piping for water service lines shall be ¾" or 1" diameter Type K soft copper. Service line runs shall be free of joints between the pint of connection with supply main and the meter location. Corporations shall be ¾" or 1" Mueller brand, #H-15008. Service saddles for PVC supply mains shall be ¾" or 1" Dresser brand, Style 94, or shall be 2" I.P.T. Ford brand, double strap. Curb stops shall be ¾" or 1" Mueller brand, #B-24350-R Ball Stop.
- 8.6. EXCAVATION, TRENCHING AND BACKFILLING: All excavation trenching and backfilling shall be performed in accordance with the requirements of the Board, and in accordance with the requirements of the city of Muscle Shoals where applicable. All water supply lines shall be installed in accordance with the manufacturer of the piping utilized, and care shall be used in backfilling such that adequate compaction is achieved to prevent long-term settlement. Some PVC piping installations may require the use of special bedding and backfill material (other than native materials) to prevent damage to the piping materials. All water lines will have a minimum of 3 ft. of cover prior to testing.
- 8.7. TESTING: All line installations shall be properly tested upon completion of installation, after being properly flushed (the Board shall direct all flushing activities in an effort to prevent "muddy" water throughout the water distribution system). Test pressure shall be at a psi at least 75% of pipe rating, and the test pressure shall be monitored over a period of 6 continuous hours. After testing is completed, and if a pressure drop is indicated throughout the test section, the line shall be filled to the initial test pressure with a

known volume of water. The Board will make the determination if the line section tested is acceptable, or if additional work is required by the Contractor. All valves and fire hydrants will be installed at a finished grade elevation.

- 8.8. DISINFECTION: All water main installations shall be properly disinfected with 65% HTH as directed by the Board, and when installed. After proper flushing samples shall be delivered to a certified laboratory and tested for bacteria in accordance with the requirements of the Alabama Department of Environmental Management.

9. SANITARY SEWER LINES AND APPURTENANCES REQUIREMENTS

The following specifications are an amendment to the existing Subdivision Regulations Article IX Design Requirements for Sanitary Sewers and will be enforced in conjunction with the above listed specifications.

- 9.1. SANITARY SEWER LINES: Sanitary sewer lines shall be ductile iron, slip joint, Class 50 equivalent of new rating classifications, or PVC, gasketed joint, in accordance with the depth and terrain associated with line locations. Where PVC pipe is utilized, and the overall depth is 6'-0" or less and the pipe size is 6" diameter or greater, the pipe classification shall be S.D.R. 35. Where PVC pipe is utilized, and the overall depth is greater than 6'-0" and the pipe is 6" diameter or greater, the pipe classification shall be S.D.R. 26. All lines will have a minimum of 3 ft. of cover prior to testing.
- 9.2. LATERALS AND FITTINGS: Sanitary sewer service laterals will be 4" diameter and shall be PVC Schedule 40. The Board will make the determination as to whether the joints of service lateral piping are gasketed or glued, and cleanouts shall be properly located in accordance with the requirements of the City of Muscle Shoals. Tee-wye-plug adapters used to connect service laterals to collection lines shall be PVC S.D.R. 35 or 26, spigot X Schedule 40 bell, solvent weld. Taps made to connect service laterals to existing vitrified clay collection lines shall include the use of a sewer saddle with stainless steel strap or clamp to snugly fit the collection line. Inlet provided for service lateral shall be 4" diameter suitable for Schedule 40 PVC. Inlet must be created with a holesaw type device and will not be hammered out. The coupon to be provided to the Board upon request. Laterals will be marked with a metal post so a metal detector can be used to locate.
- 9.3. BEDDING MATERIAL: Bedding material utilized for sanitary sewer main and lateral installations shall be ADOT #78 Stone or #57 Washed Stone.

9.4. MANHOLE FRAMES AND COVERS: Manhole frames and covers shall be installed in a rigid manner, and shall be completely sealed with cementitious grout, inside and outside. All manhole frames and covers shall be installed with an approved surface water infiltration preventor. All manholes must be at final grade elevation prior to approval.

9.5. MANHOLES: Manholes shall be constructed of pre-cast concrete. Minimum diameter shall be 4'-0", and manhole assembly shall include base riser, intermediate riser(s) and cone section as required to provide a finished top of manhole elevation suitable for the respective location. All manholes shall receive a concrete grout "invert" finished smoothly so as to provide proper flow characteristics. Integrally-cast flexible rubber boot with stainless steel ring, or other suitable means of adequately connecting the sewer collection line to the manhole assembly, shall be provided as may be required by the Board. Rainguard inflow protectors will be installed in areas subject to storm water infiltration.

9.6. TESTING: All sanitary sewer lines and appurtenances shall be air tested in accordance with the requirements of the Board. All sanitary sewer lines shall be tested for deflection by a mandrel pull. All sanitary sewer lines and manholes shall be videoed showing locations of all stubs, with footage of stubs depicted from manholes. All manholes shall be vacuum tested according to the Boards. specifications

9.7. PUMPING STATIONS: All pumping stations, as may be required by the Board, shall be properly designed in accordance with the requirements of the Board, and shall be properly sized to accommodate all existing flows and future flows as dictated by the area or areas served. Contractor/developer will install connections for portable pump as specified by the Board.

10. ADDITIONAL REQUIREMENTS: The Board reserves the right to amend the requirements noted herein from time to time as may be deemed appropriate by the Board.

- All water and sewer lines will be at a minimum of three feet deep below final developed grade.
- All water and sewer main extensions will be extended to the property owner/ developer farthest most property line.