

LAND SUBDIVISION REGULATIONS

City of
**Poplarville,
Mississippi**

Adopted March 21, 2011

Prepared By

BRIDGE & WATSON, INC.
URBAN AND REGIONAL PLANNING CONSULTANTS
AND LAND PLANNERS

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ARTICLE I – TITLE AND PURPOSE

Section 100 – Necessity for Land Subdivision Regulations

It is hereby found and declared that, in order to promote the health, safety, and general welfare and make adequate provisions for the implementation of a Comprehensive Plan to guide, direct, and control the future growth and development of the City in an orderly, efficient, healthful, and economic manner, there exists a necessity for setting forth certain procedures and standards to be followed in the development or redevelopment of land subdivisions.

Section 101 – Authority for Regulations

The provisions of this code are adopted pursuant to authority set forth in Section 17-1-23 of the Mississippi Code of 1972.

Section 102 – Title

These regulations shall be known as the “Land Subdivision Regulations of the City of Poplarville” and may be so cited.

Section 103 – Purpose

These regulations have as their purpose the establishment of procedures, standards, and requirements by which the purposes and objectives set forth in Section 100 of these regulations may be obtained. Specifically, these regulations:

1. Establish procedures governing the filing and approval of land subdivision plats and data in the City of Poplarville, Mississippi;
2. Establish minimum design standards governing streets, lots, public sites, and open spaces essential for the orderly development of the City of Poplarville, Mississippi;
3. Establish minimum standards governing streets, utilities, facilities, and other required improvements or physical things;
4. Establish minimum standards governing the preparation and filing of land subdivision plats and data to be submitted to the City for approval;
5. Fix penalties for the violation of the provisions of these regulations;
6. Provides that the City of Poplarville, Mississippi may vary these regulations in certain causes or under certain conditions.

7. Provides for the implementation of the Comprehensive Plan for the City of Poplarville.

Section 104 – Scope

From and after the effective date of this ordinance, all land subdivisions developed or constructed hereafter within the City shall comply with the provisions of these regulations.

Section 105 – Administration

105.1 The Building Official is hereby authorized and directed to administer and enforce all the provisions of these regulations. However, none of the enforcement or administrative measures as set forth hereinafter shall be construed as prohibiting, in any manner, the rights of a sub-divider to appeal to the City Officials, any decision of the Building Official.

105.2 The Building Official shall develop the necessary forms, applications, check lists, schedules, permits, or any other document necessary for the full administration and implementation of these regulations.

105.3 In administering and enforcing the terms and provisions of these regulations the Building Official shall consult with the City Engineer and City Superintendent regarding:

- a. The overall layout and design of subdivisions and associated infrastructure, including but not limited to streets, water systems, sewer systems, and stormwater drainage systems;
- b. The materials proposed to be utilized in developing the subdivision and the proposed installation or construction techniques, including but not limited to streets, water and sewer systems, stormwater drainage systems;
- c. The engineering analysis and specifications offered by the developer to ensure compliance with established local, state, and federal requirements, standards, and practices in engineering and construction;
- d. The review and evaluation of detailed engineering reports or studies concerning the proposed subdivision including but not limited to soils tests, pavement design, drainage and stormwater analysis, water and sewer testing, material specifications, construction reports, or proposed design alterations;
- e. The calculation and determination of the appropriate value for performance bonds and maintenance bonds for development projects;

- f. The inspection of construction site, making recommendations regarding inspected work meeting the requirements of the approved plans, and recommendations for stop work orders; and
- g. Any other technical issue concerning the scope of these regulations wherein the expertise of the City Engineer or City Superintendent would likely result in a more effective application of these regulations.

105.4 It shall be unlawful for any person or entity to file or record any subdivision plat, or to undertake the development or extension of any subdivision, including any site work involving clearing, grading, filling, dredging, excavating, or the like without first complying with the requirements of these regulations and securing a permit therefor.

Section 106 – Plat Required

These regulations and development standards shall apply to the following forms of land subdivisions:

- a. Any owner and/or owners of land lying or being situated within the City limits of Poplarville, Mississippi who wish to divide such land into two (2) or more parcels, lots, sites, and/or other divisions; either lot consisting of less than ten (10) acres, for the purpose, whether immediate or future, of sale or development, or any party who wishes to resubdivide lands for such purpose shall be required to abide by the rules, regulations, and procedures outlined in this ordinance.
- b. The dedication, vacation or reservation of any public or private right-of-way or easement through any tract of land regardless of the area involved, including those for use by public and private utility companies.
- c. The dedication or vacation of any street or alley through any tract of land regardless of the area involved.
- d. The division of land, previously subdivided or platted, into tracts, lots, sites or parcels, of less than ten (10) acres in area.

ARTICLE II - DEFINITIONS

Section 200 – Definitions

For the purpose of these regulations, certain words used herein are defined as follows:

1. Alley - Alleys are minor ways which are used primarily for vehicular service access to the back or the side of properties otherwise abutting on a street.
2. As Built - A set of drawings submitted by the developer, designer, and/or contractor upon completion of a project that depicts the actual dimensions, geometry, and location of all elements of the completed construction. The drawings provide the City with a permanent record of the work completed during the project
3. Bench Mark - A definite point of known elevation and location and of more or less permanent character.
4. Block - A parcel of land, intended to be used for urban purposes, which is entirely surrounded by public streets, highways, railroad rights-of-way, public walks, parks or green strips, rural land or drainage channels or a combination thereof.
5. Board - See Board of Aldermen.
6. Board of Aldermen - The elected governing body of the City of Poplarville, Mississippi.
7. Building Official - The administrative officer authorized by the Board of Aldermen having the power and duty of enforcing and administering the provisions of the Subdivision Regulations.
8. Building Permit - A certificate issued by Poplarville permitting the construction, erection, or placement of a building or structure constructed, erected, or placed for the support, enclosure, shelter, or protection of a person or persons, animals, chattels, or property of any kind.
9. Building Set Back Line - A line or lines designating the area outside of which, buildings may not be erected.
10. City Superintendent - The administrative officer authorized by the Board of Aldermen having the power and duty of maintaining and operating the street and utility systems of the City of Poplarville.

11. Comprehensive Plan - The document entitled 20 Year Comprehensive Development Plan or any part thereof, adopted by the Poplarville Mayor and Board of Aldermen.
12. Conditional - Granted or made on provisions set forth in this ordinance.
13. County - Pearl River County, Mississippi.
14. Crosswalk – A crosswalk is that part of the street designed for use of pedestrians crossing the street that are designated by markings on the roadway surface.
15. Development - The act of installing site improvements and building structures,
16. Developer - That person, firm or corporation by whom a tract will be subdivided and improved, pursuant to the requirements of these regulations.
17. Ditches - A drainage area which has a side slope steeper than four (4) feet horizontally and one (1) foot vertically.
18. Easement - A grant by the property owner to the public, a corporation, or persons, of the use of a strip of land for specific purposes.
19. Engineer - Shall mean a registered professional engineer registered in the State of Mississippi.
20. Frontage - That edge of a lot bordering a street.
21. Improvements - Street surfacing, with curb and gutter, sidewalks, water mains, sanitary sewers, storm sewers, utilities and monuments.
22. Lot - A subdivision of a block or other parcel of land intended as a unit for the transfer of ownership or for building development or both, and which abuts on a public right-of-way. Lots mean tracts, sites or parcel.
23. Lot Area - The total horizontal area within the boundaries of a lot exclusive of any area designated for street purposes.
24. Lot, Corner - A lot located at the intersection of and abutting on two or more streets.
25. Lot, Double Frontage - A lot which runs through a block from street to street and which abuts two or more streets.
26. Lot, Reverse Frontage - A lot fronting on two (2) parallel streets but access to only one.

27. Lot Width - Shall mean the width of the lot at the building setback line measured parallel to the street right-of-way line.
28. Mayor and Board of Aldermen - The chief legislative body of the City of Poplarville.
29. Nonresidential Subdivision - Either or both of (A) a division or redivision of a tract into more than one lot, plat, or site for commercial or industrial purposes, and (B) the dedication or establishment of a street, alley, pedestrian or public way, in conjunction with, or use in any such tract.
30. Performance Guarantee - Any security which may be accepted in lieu of a requirement that certain improvements be made before the Board of Aldermen or any other approving body approves a final plat, including performance bonds by subdivider or improvement contractors, escrow agreements, and other similar collateral or surety agreements.
31. Plan for Circulation (Major Street Plan) - The component part of the Comprehensive Plan for the City of Poplarville showing the general locations of principal thoroughfares, railways, airports, waterways, and other transportation facilities.
32. Planning Commission - Whenever the term "Planning Commission" is used in these regulations, the term shall mean the Poplarville Planning Commission.
33. Plat, Final - A map of land subdivision prepared in a form suitable for filing of record with necessary affidavits, dedications and acceptances, and with a complete bearings and dimensions of all lines defining lots and blocks, streets, alleys, public areas and other dimensions of land.
34. Plat, Preliminary - A map of a proposed land subdivision showing the character and proposed layout of the tract in sufficient detail to indicate suitability of the contemplated subdivision of land for the intended use.
35. Public Open Spaces - Public Open Spaces means land, which may be dedicated or reserved, for acquisition for general use by the general public. It includes parks, parkways, recreation areas, school sites, community or public building sites, and public parking spaces.
36. Reserve Strip - The strip of land smaller than a lot retained in private ownership for the purpose of controlling access to land dedicated or intended to be dedicated to street or other public use.
37. Resubdivision - The redivision of any part or all of any block or blocks of a previously platted subdivision, addition, lot or tract.

38. Right-Of-Way - A grant by the property owner, usually in the form of a dedication to the public, of a strip or strips of land to be used primarily for transportation passage over the land.
39. Roadway width or surfaced width - Roadway width or surfaced width means that portion of the street available for vehicular traffic, and, where curbs are laid, the portion between curbs.
40. Sidewalk - The portion of a street or crosswalkway, paved or otherwise surfaced, intended for pedestrian use only.
41. Sketch Plan - A map of a proposed land subdivision showing the character and proposed layout of the tract in sufficient detail to indicate the suitability of the proposed subdivision of land. All adjoining landowners, easements and rights-of-way will be included.
42. Slope - The rate of deviation of the ground surface from the horizontal surface, as expressed in percentages.
43. Street - The term street means a way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place, or however otherwise designated.
44. Streets, Arterial and Highways - Arterial streets and highways are those which are used primarily for fast or heavy traffic.
45. Streets, Collector - Collector streets are those which carry traffic from minor streets to the major streets in residential and business areas and include the principal entrance streets of a residential development and streets for circulation within such a development.
46. Streets, Cul-De-Sac - A minor street with a turn-around and permanently closed to through traffic and used primarily for access to the abutting properties.
47. Streets, Major - Major streets are those streets which provide easy access to the various traffic generators within the City and to the arterial highway system.
48. Streets, Marginal Access - Marginal access streets are minor streets which are parallel to and adjacent to the arterial streets and highways and which provide access to abutting properties and, protection from through traffic. These streets are also known as frontage or service streets.
49. Streets, Minor - Minor streets are those which are used primarily for access to the abutting properties.

50. Subdivider - Any person, firm, partnership, corporation or other entity, acting as a unit; subdividing or proposing to subdivide land as herein defined.
51. Subdivision - The division of a parcel of land into two or more lots or parcels for the purpose of transfer of ownership or building development, or, if a new street is involved, any division of a parcel of land. The term includes resubdivision and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided.
52. Surveyor - A registered land surveyor as authorized by the State Statutes to practice the profession of surveying in the State of Mississippi.
53. Swale - A drainage area which has a side slope not steeper than four (4) feet horizontally, and one foot vertically and not used as a general drainage course. The length of a swale shall not exceed three hundred (300) feet unless approved by the Building Official. Maintenance of swales shall not be the responsibility of the City of Poplarville.
54. Utility - A commodity or service which is of public consequence and need, such as electricity, gas, sewer, water, transportation, or telephone or telegraph service.

Section 201 – Use of Words

Words used in the present tense shall include the future tense. Words used in the singular shall include the plural and words used in the plural shall include the singular. The word “may” shall be deemed as permissive.

ARTICLE III – PROCEDURE

Section 300 – Pre-Application Procedure

300.1 Previous to the filing of an application for conditional approval of the Preliminary Plat (General Subdivision Plan), the subdivider may submit to the Building Official plans and data as specified in Section 300.4. This step does not require formal application, fee, or filing of plat, nor is this step mandatory.

300.2 Advice to Subdivider

The purpose of the "Pre-application Procedure" is to afford the Subdivider an opportunity to avail himself of the advice and assistance of the Building Official, and to consult early and informally with the City before preparation of the Preliminary Plat and before formal application for its approval, in order to save time and money and to make the most of his opportunities. He should also consult with the City Planning Commission to avail himself of the advice and assistance of this advisory body.

300.3 Within 15 days following the pre-application conference, the Building Official shall inform the Subdivider that the plans and data as submitted or modified do or do not meet the objectives of these regulations. When the Building Official finds the plans and data do not meet the objectives of these regulations, he shall express the reasons therefore.

300.4 In preparation for the pre-application conference, the developer shall provide the following information:

- a. General subdivision information describing or outlining the existing conditions of the site and the proposed development as necessary to supplement the drawings required hereinafter. This information may include data on existing covenants, land characteristics, and available community facilities and utilities, and information describing the subdivision proposal such as number of residential lots, typical lot width and depth, price range, business areas, playgrounds, park areas, and other public areas, proposed protective covenants and proposed utilities and street improvements.
- b. Location map showing the relationship of the proposed subdivision to existing community facilities which serve or influence it; including development name and location; main traffic arteries; shopping centers; elementary and high schools; parks and playgrounds; principal places of employment; other community features such as railroads, hospitals and churches; title; scale, north arrow; and date.
- c. Topographic map showing existing contours and elevations based upon Mean Sea Level Datum.

- d. Sketch plan on topographic survey showing in simple sketch form the proposed layout of streets, lots, and other features in relation to existing conditions. The Sketch Plan may be a freehand pencil sketch made directly on a print of the topographic survey. In any event, the Sketch Plan shall include other data as the Building Official determines is necessary for consideration of the proposed subdivision.

Section 301 – Review and Approval of the Preliminary Plat

301.1 The purpose of the preliminary plat, together with the attendant items required herein is to provide plans for the construction of the subdivision and its improvements as well as a draft of the final plat of the subdivision. To this end, during preparation of the preliminary plat, the subdivider should consult with the Building Official pursuant to Section 300 and with other officials and agencies concerned with the subdivision and the improvements.

301.2 On reaching conclusions informally, as recommended in Section 300 above, regarding his general program and objectives, the Subdivider shall cause to be prepared a Preliminary Plat, together with improvement plans and other supplementary material as specified in this Article.

301.3 The Developer shall submit to the Planning Commission office at least twenty (20) days prior to the Planning Commission meeting at which the preliminary plat is to be considered, the following items:

- a. Five (5) full-size copies of the preliminary plat;
- b. Two (2) copies of the complete construction plans and specifications;
- c. Two (2) copies of complete design calculations;
- d. Five (5) copies of the preliminary plat application forms

301.4 There shall be held in relation to all applications for preliminary plat approval a public hearing before the Planning Commission at which parties in interest and citizens shall have an opportunity to be fully heard.

301.5 Notice of the proposed preliminary plat application and of the time and place of hearing shall be published in an official paper, or a paper having a general circulation in the City of Poplarville at least ten (10) days prior to the date of the hearing.

301.6 After review of the preliminary plat by the Planning Commission at the public hearing, the findings and recommendations of the Planning Commission shall be forwarded to the Mayor and Board of Aldermen for their review, consideration, and approval, if warranted. The review by the Planning Commission and Mayor and Board

of Aldermen shall take into consideration, in addition to the requirements set forth in these regulations, the components of the comprehensive plan, the zoning ordinance, and other plans, programs, conditions and regulations that might affect the area and the design and development of the subdivision.

301.7 Approval of a Preliminary Plat, conditional or otherwise, shall not constitute approval of the Final Plat. Rather, it shall be deemed an expression of approval of the layout submitted on the Preliminary Plat as a guide to the preparation of the Final Plat which shall be submitted for approval and for recording upon fulfillment of the requirements of these regulations and the conditions of the conditional approval, if any.

301.8 Following the approval of the Preliminary Plat by the Mayor and Board of Aldermen, the Developer may proceed with the construction and installation of infrastructure and other improvements associated with the subdivision, in accordance with the plans and specifications approved in conjunction with the preliminary plat (see Section 309). Following the installation of the utilities and other improvements within the subdivision, the Developer shall cause to be prepared a set of As Built drawings.

301.9 Copies of the Final Plat, the Construction Drawings (As Built), and other exhibits required for approval, as prescribed in Section 306, shall be prepared and shall be submitted to the Building Official within two (2) years after approval of the Preliminary Plat or such Preliminary Plat approval shall lapse.

Section 302 – Review and Approval of Final Plat

302.1 After satisfactorily installing all necessary infrastructure and improvements, the developer shall provide As Built drawings to the Building Official at least fifteen (15) working days prior to the regular monthly meeting of the Planning Commission at which the final plat will be considered. Such As Built drawings shall be provided in duplicate on full size (24" x 36") sheets.

302.2 The owner shall have prepared and submitted for approval to the Planning Commission the proof of ownership of the land embraced in such subdivision.

302.3 It shall be the duty of the Building Official to examine the Final Plat to be certain that all conditions set forth on the Preliminary Plat have been satisfied. Upon approval of the Final Plat by the Building Official, the Building Official shall forward the same to the Planning Commission recommending that it be approved.

302.4 The Planning Commission shall act to approve, disapprove, or conditionally approve any final plat submitted in proper form at its next available meeting, providing time for the Building Official's review as directed in Section 302.3.

302.5 If desired by the subdivider, the final plat may constitute only that portion of the approved preliminary plat which he proposes to record and develop at the time; provided, however, that such portion conforms to all requirements of these regulations.

302.6 The basis for disapproval of the final plat shall include:

- a. Failure to install improvements according to detailed plans and specifications, as previously approved by the Building Official.
- b. Failure to comply with any written agreement or conditions of approval.
- c. Failure to comply with the requirements of Section 306.

302.7 If the Final Plat is disapproved, the applicant shall be so notified, in writing, and the reasons therefore shall be enumerated.

302.8 Upon approval of the Final Plat by the Planning Commission, the Final Plat shall be submitted to the Building Official five (5) working days prior to the Board of Aldermen meeting at which time the Final Plat is to be considered. It shall conform to the Final Plat as approved by the Planning Commission.

302.9 Upon approval of the Final Plat by the Board of Aldermen, an endorsement of such final approval shall be made thereon by the Mayor and attested by the City Clerk indicating approval, together with the date of the Order of the Board of Aldermen authorizing the same, such an endorsement and attestation shall be made upon the Final Plat when it is recorded.

302.10 Upon approval of the Final Plat by the Mayor and Board of Aldermen, copies of the plat shall be submitted to the Building Official as follows:

- a. The developer shall provide three (3) copies of the Final Plat to the City on mylar diazo film, all of which are to be exact duplicates of the original.
 1. One (1) of which is to be recorded;
 2. Two (2) of which are for the City's files.
- b. Once the Final Plat shows written approval of the Planning Commission and the Mayor and Board of Aldermen, all copies will be returned to the developer for recording.

302.11 The City of Poplarville is hereby prohibited from accepting, improving, grading, paving, or lighting any street except an existing public street, a public street shown on an approved and recorded land subdivision plat, or a street legally established by the Governing Authority.

Section 303 - Replat of an Existing Lot

303.1 Any owner, developer or otherwise seeking to replat an existing platted lot, or to amend an existing subdivision plat, shall proceed with such replat or amendment as though the matter were a newly created subdivision and comply with the provisions of these regulations.

Section 304 - Recording of the Final Plat

304.1 Upon approval of the final plat by the Mayor and Board of Aldermen, the plat shall be submitted for recording within 60 days; otherwise final plat approval will be null and void. The Final Plat shall be recorded by the developer in the office of the Chancery Clerk for Pearl River County, Mississippi.

304.2 Once one (1) mylar diazo film copy of the final plat has been recorded by the developer with the Pearl River County Chancery Clerk, the developer shall return two fully executed copies¹ to the City.

Section 305 – Data Required for Preliminary Plat

305.1 A preliminary plat submitted for review shall be at a scale that is legible and functional on sheets of 18 inches by 24 inches (18"x24") in size and a reduced copy of 11 inches by 17 inches (11"x17") in size. The proposed preliminary plat shall bear the seal and signature of the surveyor or engineer responsible therefor and give the following information:

- a. The name of the subdivision, the name and address of the owner, and the name of the design professional registered to practice in the State of Mississippi, and the acreage of the tract or tracts to be subdivided.
- b. The names of owners of all properties abutting the property being subdivided.
- c. The scale, north point, date and a vicinity map.
- d. Utilities on and adjacent to the tract.
- e. Topographical Information as follows:
 - 1. For land that slopes less than approximately two percent (2%), show contours with an interval of two (2) feet and spot elevations along all drainage channels, swales, and at selected points where changes in elevations are not readily discernable from the contours.

¹The two copies for the City are the same two copies provided in Section 302.10. Pursuant to 302.10, the developer should deliver copies to the city for execution, then record the plats pursuant to 304, and return two executed copies pursuant to 304.2.

2. For land that slopes more than approximately two percent (2%), show contours with an interval of five feet (5'-0").
3. A tie to one or more bench marks shall be shown.
- f. Other Conditions on the Tract - Water courses, marshes, wooded areas, isolated preservable trees one foot (1'-0") or more in diameter, houses, barns, shacks, and other significant features.
- g. Other Conditions on Adjacent Land: approximate gradient and direction of ground slope, including any embankments or retaining walls; character and location of buildings, railroads power lines, towers, and other nearby nonresidential land uses or adverse influences; for adjacent platted land, refer to subdivision plat by name, recordation date, and number, and show approximate percent built-up, typical lot size, and dwelling type.
- h. Proposed street names, location, right-of-way widths, pavement widths, approximate grades and vertical curves of proposed streets, alleys, easements and widths, parkways, and other open spaces, reservations, lot lines and dimensions, building setback lines, lot numbers and block numbers.
- i. Plans showing the proposed storm drainage system.
- j. A legal description and a boundary survey, with bearings and distances referenced to section or fractional section corners or other base lines shown on the plat and readily reproducible, and the date of the survey.
- k. Calculations sheets containing the following data:
 1. The length and radii of all curved street and lot lines and the bearings and the length of all straight street lot lines and the area in square feet of each lot.
 2. Bearings and distances referenced to sectional or fractional section lines or other base lines shown on the plat and readily reproducible on the ground.
 3. Street centerline bearing and distance with centerline curve data (deflection angle, radii, degree of curvature, chord distance and bearing and length of curve).
 4. Profiles of all proposed streets showing the natural and finished grades drawn to a scale of not less than one (1) inch equals one hundred (100) feet horizontal and one (1) inch equals twenty (20) feet vertical.
 5. Also to be included are design calculations for pavements, utilities, storm drainage system, and any other improvements.

- l. Streets on and adjacent to the tract – Name and right-of-way width and location; type, width, and elevation of surfacing; any legally established centerline elevation; walks, curbs, gutters, culverts, etc.
- m. The location of the proposed utility lines (sewer, gas, water, telephone, cable television and electric) indicating the size and type of pipes, location of manholes, valves, hydrants, transformers, junction boxes, street lights and proposed connections to the existing utility systems.
- n. The dimensions in feet and decimals of lot area and lot frontage along any public street.
- o. Preliminary approval of the proposed water and sewer systems in the subdivision must be given by the appropriate authorities.
- p. Zoning ordinance lines and zones must be indicated.
- q. Indication of sites proposed for nonresidential uses, and any sites to be reserved or dedicated for public use, if any such sites exist.
- r. Site data - Including number of residential lots, typical lot size, and acres in parks, etc.
- s. A description or indication of proposed public improvements - Highways or other major improvements planned by public authorities for future construction on or near the tract.
- t. Title and certificates - Present tract designation according to official records in office of the Chancery Clerk; title under which proposed subdivision is to be recorded, with names and addresses of owners, notation stating acreage, datum, bench marks, certification of Registered Professional Engineer or Licensed Land Surveyor, date of survey.
- u. A copy of the deed restrictions or protective covenants which directly affect the land being subdivided.
- v. Indication of any areas which lie within a flood hazard area as indicated on the most recent Flood Insurance Rate Map published by the Federal Emergency Management Agency.

305.2 For the purposes of the preliminary plat, the Building Official may waive any of the requirements specified in 305.1 if, in the Building Official's opinion, such information is not necessary to conduct a meaningful review of the subdivision application.

Section 306 – Data Required for Final Plat

306.1 Final Plat shall be drawn in ink on mylar film 18 inches by 24 inches (18"x24") and shall be at a scale of one inch (0'-1") equals 100 feet or larger. Where necessary, the plat may be on several sheets accompanied by an index sheet showing the entire subdivision. For large subdivisions, the Final Plat may be submitted for approval progressively in contiguous sections satisfactory to the Building Official. The final Plat shall show the following:

- a. Primary control points, approved by the Building Official, or descriptions and "ties" to such control points, to which all dimensions, angles, bearings, and similar data on the plat shall be referred.
- b. Tract boundary lines, right-of-way lines of streets, easements and other right-of-way, and property lines of residential lots and other sites; with accurate dimensions, bearings, or deflection angles and radii, arcs, and central angles of all curves.
- c. Name and right-of-way width of each street or other right-of-way.
- d. Location, dimensions and purpose of any easements.
- e. Number to identify each lot or site.
- f. Purpose for which sites, other than residential lots, are dedicated or served.
- g. Minimum building setback line on all lots and other sites.
- h. Location and description of monuments.
- i. Names of record owners of adjoining unplatted land.
- j. Reference to recorded subdivision plats of adjoining platted land by record name, date and number.
- k. Title, scale, north arrow, date, and Engineer's or Surveyor's seal and signature.
- l. The final plat shall contain the following certificates and/or dedications, when appropriate:
 - 1. A certificate showing that applicant is the land owner and certification that all prior easement rights to any person, utility or corporation have been absolved on the parcels to be dedicated to public use. The person, utility or corporation shall retain whatever rights they would have as if located in a public street. Recording data for all prior easements shall be included. Those prior easements shall be included and not subordinated.

2. A certificate of dedication of all public street, highways, water, sanitary, sewer, stormwater sewer, any other public utilities, and other rights-of-way, easements or parcels for public parks or other public use to the City of Poplarville, Mississippi or other appropriate public agency executed by the owners and all other parties who have a mortgage or lien interest in the property.
3. If the proposed subdivision is to be maintained as a private community, the final plat shall bear language granting the City of Poplarville a perpetual right of entry into the community for the purpose of delivering or administering public services or utilities.
4. A certificate by a registered land surveyor or engineer of the State of Mississippi to the effect that the plat represents an accurate survey made by him or someone under his direct supervision and that all dimensional and other data is correct.
5. Certificates of approval by the Planning Commission and Mayor and Board, and a certificate of recording by the chancery clerk of Pearl River County, Mississippi.

m. Indication of any areas which lie within a flood hazard area as indicated on the most recent Flood Insurance Rate Map published by the Federal Emergency Management Agency.

306.2 A certificate by the Building Official certifying that the subdivider has complied with one of the following alternatives:

- a. Installation of all improvements in accordance with a the requirements of these Regulations and including a certification by a the engineer employed by the subdivider that the improvements were designed by and constructed under his supervision, and that the construction has bee completed in conformity with the plans and specifications as submitted to and approved by the Planning Commission and the Mayor and Board of Aldermen, or
- b. A bond or certified check has been posted which is available to the City and in sufficient amount to assure such completion of all required improvements.

306.3 Protective covenants in form for recording.

306.4 Other data, certificates, affidavits, endorsements, or dedications as may be required by the Building Official in the enforcement of these regulations.

Section 307 – Limitations of Building Permit

307.1 No building permit shall be issued for the construction, erection, or placement of any building in the City on any lot, tract, or parcel of land of less than ten (10) acres with a width, depth, or area less than the originally recorded lot, tract or parcel of land except for a duly approved and recorded subdivision.

307.2 The main building shall front the street which the lot fronts in all approved and recorded subdivisions unless other wise permitted on review of the subdivision plans by the Planning Commission and the Mayor and Board of Aldermen.

Section 308 – Appeals

308.1 Should any person be aggrieved by the decision of the Planning Commission or any employee of the City of Poplarville, they shall have the right to appeal such decision within thirty (30) days thereafter to the Mayor and Board upon fifteen (15) days notice of such written grievance directed to the Mayor and Board of Aldermen with appropriate copies to the employee, department or Planning Commission, as the case shall be.

308.2 Should any person be aggrieved by any decision of the Mayor and Board, they shall have the right to appeal same to the Circuit Court of Pearl River County, Mississippi, in the manner prescribed by law; and by virtue of Title 11, Chapter 51, Section 75, et seq. Mississippi Code, 1972, (Anon.).

Section 309 – Review and Approval of Construction Plans

309.1 The subdivider shall have prepared construction plans and specifications for the required improvements and said plans shall be submitted and approved as required by these regulations before construction of any type is begun in the subdivision.

309.2 All improvements required in these Regulations shall be designed by and constructed under the supervision of a qualified professional engineer registered in the State of Mississippi and employed by the subdivider.

309.3 Construction plans shall be submitted on 24-inch by 36-inch (24x36) sheets and shall consist of combination plan and profile for each street and a typical cross-section of the proposed grading, drainage, base course, and pavement. Detailed plans shall be submitted for the water and sanitary sewer systems and for culverts, drainage structures, and bridges, storm water detention and erosion control. The plan and profile sheets (streets and sanitary sewers) shall be drawn to a scale of one inch equals 100 feet horizontal (1"=100') and one inch equals five feet vertical (1"=5'), and shall be based on U.S. Government Datum (mean sea level).

309.4 Upon completion of the work, the Engineer of the subdivider shall furnish the Board of Aldermen and the Planning Commission with certification stating that all work

has been completed in conformity with the approved construction plans and specifications.

309.5 The developer shall submit plans and specifications for approval to any local, state, or federal agency having regulatory authority over any aspect of the proposed development. The developer shall submit to the Building Official evidence of approval from any interested local, state, or federal agency.

ARTICLE IV – DESIGN STANDARDS

Section 400 – Streets

400.1 The arrangement character, extent, width, grade, and location of all streets shall conform with the Comprehensive Plan and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.

400.2 Where such is not known in the Comprehensive Plan, the arrangement of streets in a subdivision shall either:

- a. Provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or
- b. Conform to a plan for the neighborhood approved or adopted by the City to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impracticable.

400.3 Minor streets shall be laid out so that their use by through traffic will be discouraged.

400.4 Where a subdivision abuts or contains an existing or proposed arterial street or marginal access streets, special provisions may be necessary for adequate protection of residential properties. Such special provisions include:

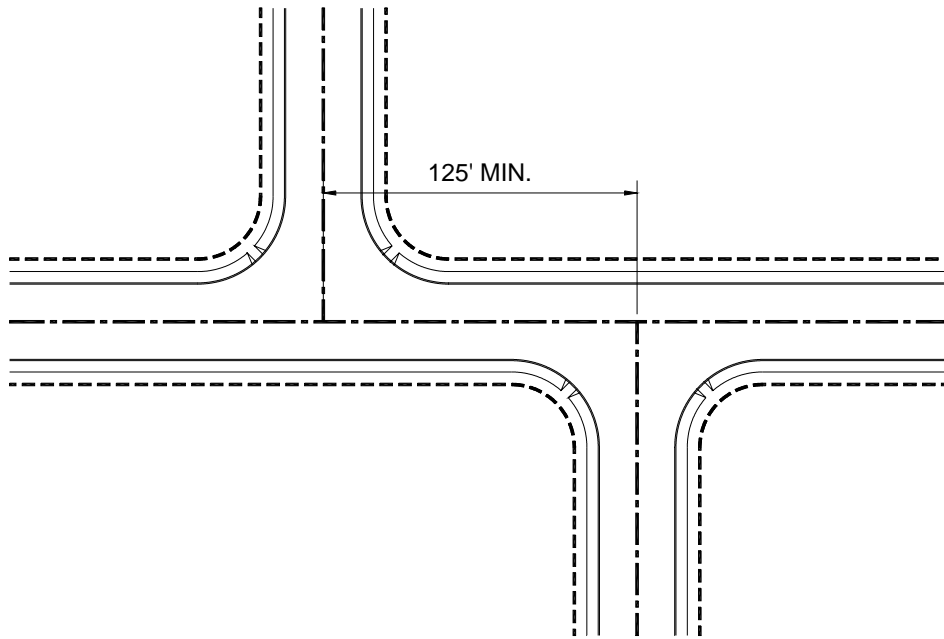
- a. reverse frontage lots with screen planting along the arterial or marginal access street, contained in a nonaccess reservation;
- b. Deep lots with rear service alleys; or,
- c. Such other treatment to provide adequate protection of residential properties, subject to the approval by the Planning Commission.

400.5 Where a subdivision borders on or contains railroad right-of-way or limited access highway right-of-way, a street approximately parallel to each side of such right-of-way at a distance suitable for the appropriate use of the intervening land may be required.

400.6 Reserve strips controlling access to streets shall be prohibited except where such strips are considered by the City to be absolutely essential.

400.7 Street jogs with centerline offsets of less than 125 feet shall be avoided.

Figure 4.1 – Minimum Distance Between Intersections



400.8 The horizontal and vertical alignment for all streets shall be not less than the following, except in cases of unusual topographic conditions:

a. Horizontal Alignment

The centerline radius for all roads shall be as follows:

Arterial and Major Streets.....	500 feet minimum
Collector Streets.....	300 feet minimum
Minor Streets.....	100 feet minimum

b. Vertical Alignment

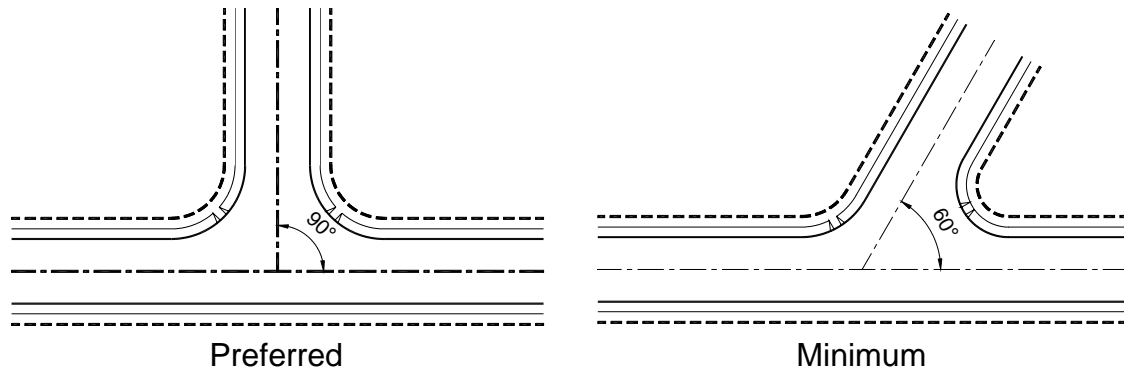
All changes in street grades shall be made with vertical curves that provide minimum sign distance of not less than the following, except in cases of unusual topographic conditions:

Arterial and Major Streets with medians.....	500 feet minimum
Arterial and Major Streets without medians.....	800 feet minimum
Collector Streets.....	300 feet minimum
Minor Streets.....	200 feet minimum

Sight distances for vertical alignment shall be determined by measuring from a point four feet (4'-0") above the roadway surface along a line of sight to a point four inches (0'-4") above the roadway surface.

400.9 Streets shall be laid out so as to intersect as nearly as possible at right angles, and no street shall intersect any other street at less than 60 degrees.

Figure 4.2 – Street Intersection Angle



400.10 Property lines at street intersections shall be rounded with a radius of seven (7) feet or a greater radius where the Building Official may deem it necessary. Comparable cutoffs or chords may be substituted in place of rounded corners.

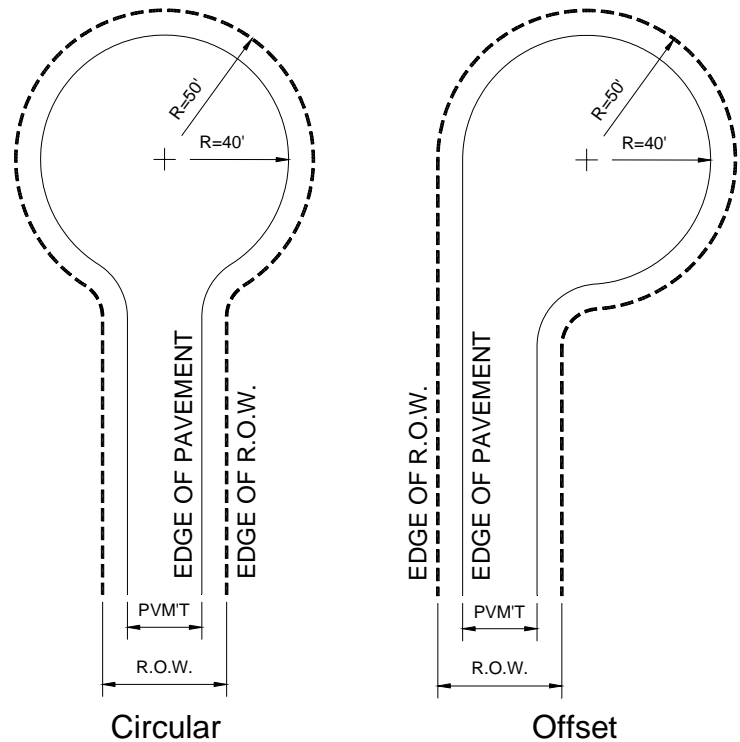
400.11 Street right-of-way widths shall conform to the widths in the Comprehensive Plan and where not shown therein shall be not less than as follows:

<u>Street Type</u>	<u>Right-of-way width</u>
Arterial	120
Major	100
Collector	70
Minor, for row houses and apartments	60
Minor, for other residences	50
Marginal access	50

400.12 Half streets shall be prohibited, except where essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations and where the Building Official finds it will be practicable to require the dedication of the other half when the adjoining property is subdivided. Wherever a half street is adjacent to a tract to be subdivided, the other half of the street shall be platted within such tract.

400.13 Dead-end streets, designed to be so permanently, shall not be longer than 600 feet and shall be provided at the closed end with a turn-around having an outside roadway diameter of at least 80 feet and a street property line diameter of at least 100 feet.

Figure 4.3 – Cul-de-Sac Designs



400.14 No street names shall be used which will duplicate or be confused with the names of existing streets.

400.15 Temporary turnarounds, having an all weather surface with a forty-foot radius, shall be provided at the termination of all streets wherein said street is laid out and constructed in anticipation of an extension thereof.

Section 401 – Alleys

401.1 Alleys shall be provided in commercial and industrial districts, except that this requirement may be waived where other definite and assured provision is made for service access, such as off-street loading, unloading, and parking, consistent with and adequate for the uses proposed.

401.2 The width of a commercial and industrial districts alley shall be a minimum of 20 feet. Alleys located in residential areas shall have a right of way of twenty (20) feet with a paved travel surface of twelve (12) feet. Alleys should be restricted to one way traffic.

401.3 Alley intersections and sharp changes in alignment shall be avoided, but, where necessary, corners shall be cut off sufficiently to permit safe vehicular movement.

401.4 Dead-end alleys shall be avoided where possible but, if unavoidable, shall be provided with adequate turnaround facilities at the dead end as determined by the Building Official.

Section 402 – Easements

402.1 Easements across lots or centered on rear or side lot lines shall be provided for utilities where necessary and shall be at least fifteen (15) feet wide or a width designated by the Building Official.

402.2 Where a subdivision is traversed by a water course, drainage way, channel, or stream, there shall be provided a storm water easement of no less than fifteen (15) feet or drainage right-of-way of the same width conforming substantially with the lines of such water course. No building, fence, poles, or other obstruction shall be permitted within the drainage easement, unless specifically approved by the Planning Commission. Fences and poles may be permitted along the edge of the drainage easement if such fence and poles do not obstruct the water flow.

402.3 Where easements intersect or sharp changes in alignment are necessary, corners shall be cut off sufficiently to permit equipment access, subject to the approval the Planning Commission.

402.4 No building, fence, or structure shall be permitted within utility easements unless specifically approved by the Planning Commission.

402.5 Every easement shall terminate at a both ends upon a street, alley, or another easement, except that dead-end easements will be permitted where necessary, upon review and approval by the Planning Commission.

Section 403 – Blocks

403.1 The lengths, widths, and shapes of blocks shall be determined with due regard to:

- a. Provision of adequate building sites suitable to the special needs of the type of use contemplated.
- b. Zoning requirements as to lot sizes and dimensions.
- c. Needs for convenient access, circulation, control and safety of street traffic.
- d. Limitations and opportunities of topography.

403.2 Block lengths shall not exceed 1,200 feet or be less than 400 feet.

403.3 Pedestrian crosswalks, not less than ten (10) feet wide, shall be required where deemed essential to provide circulation or access to schools, playgrounds, shopping

centers, transportation, community facilities or other areas where efficient pedestrian access is desirable.

Section 404 – Lots

404.1 The lot size, width, depth, shape, and orientation and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated. In no case shall a subdivision be laid out such that the various lots therein fail to comply with the Zoning Ordinance for the City of Poplarville.

404.2 Lot dimensions shall conform to the requirements of the applicable Zoning Ordinance. The depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking required by the type of use and development contemplated and as set forth in the Zoning Ordinance.

404.3 Corner lots for residential use shall be at least 25 percent wider than adjacent lots in said subdivision to permit appropriate building setback from and orientation to both streets.

404.4 The subdividing of the land shall be such as to provide, by means of a public street, each lot with satisfactory access to an existing public street.

404.5 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 10 feet, across which there shall be no right of access, shall be provided along the rear line of lots abutting such a traffic artery or other disadvantageous use. Alleys shall not be deemed to constitute double frontage.

404.6 Side lot lines shall be substantially at right angles or radial to street lines.

Section 405 – Public Sites and Open Spaces

405.1 Where a proposed park, playground, school, or other public use shown in the Comprehensive Plan is located in whole or in part in a subdivision, the owner or owners of said subdivision may be required to reserve any such sites required for public use.

405.2 Where deemed essential by the Planning Commission, upon consideration of the particular type of development proposed in the subdivision, and especially in large-scale neighborhood unit developments not anticipated in the Comprehensive Plan, the Planning Commission may require the dedication or reservation of such other areas or sites of a character, extent, and location suitable to the needs created by such development for schools, parks, and other public purposes.

ARTICLE V – REQUIRED IMPROVEMENTS

Section 500 – Improvements Required in Subdivision

500.1 In consideration of the acceptance by the City of a subdivision and the assumption of the responsibility for maintaining the utilities and streets constructed therein, the owner or owners of the subdivision shall cause to be constructed, at no expense to the City, the following improvements according to specifications as set forth hereinafter. After acceptance of the subdivision, all such improvements shall become the property of the City.

500.2 The complete design calculations will be provided by the developer's engineer for all required improvements and will be reasonably subject to the specifications set forth by the City as well as the Building Official's review of the subdivision plans and calculations. The design will be based on sound engineering practices for the particular site in which they are to be installed.

500.3 General standards for improvements shall be as follows:

- a. All sewer lines, storm drains, water lines and conduits for private utility crossings, any other underground structures within any street right-of-way must be installed before streets, or alleys are paved.
- b. Water, sewer and all other utility connections shall be provided for each lot to a distance of two (2) feet beyond the curblineline or to the edge of the right-of-way or utility easement, whichever is greater.
- c. Water and sanitary and stormwater sewer systems and all other utilities will be kept from being under paved areas to the greatest extent possible.
- d. Except for limited and necessary crossings, private utilities, such as electricity, telephone, gas, cable television, etc., must be located in utility easements separate from rights-of-way and easements used for the water, sanitary and stormwater sewer systems.
- e. The easements for private utilities should be located at the rear of the subdivision lots to the greatest extent possible. Materials and equipment provided as a part of these subdivision regulations must be approved by the City prior to installation.
- f. The material and equipment must also match the manufacturer make and model of similar installations throughout the City as deemed necessary by the City.
- g. All utility pipes (stormwater sewer, sanitary sewers, water and private utility conduits and mains) must be of sufficient size to provide for expansions and

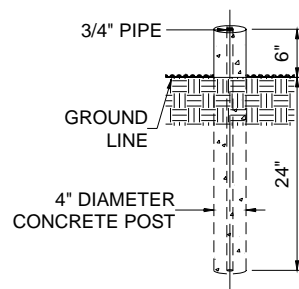
extensions in the future, unless other provisions can be made to accommodate expansions and extensions without major disruptions to the streets, and utilities.

500.4 All subdivisions developed in phases or which have future subdivisions extending therefrom, must submit a plan subject to approval of the City as to how required improvements will accommodate future phases and subsequent subdivisions in keeping with all requirements and standards of these regulations.

Section 501 – Monuments

501.1 The outer boundary corners of the subdivision and intermediate points as required by the Building Official shall be marked with monument post. Monument post shall consist of concrete posts at least four (4) inches in diameter and thirty (30) inches in length reinforced by three quarters (3/4) inch pipe through the center thereof, and such posts shall be firmly set in the ground to a depth of twenty-four (24) inches.

Figure 5.1 – Monument Post



502.2 All lot corners shall be marked on the ground with iron pins at least 3/8 inch in diameter and twenty-four (24) inches in length.

502.3 Monuments and markers shall be set such that the top thereof is flush with the ground.

Section 502 – General Grading

502.1 General grading shall consist of necessary clearing and grubbing, removal of existing structures, excavating, filling, spreading and compacting the areas to be filled in accordance with these specifications and in conformity with the lines, grades, slopes and typical cross sections shown on the accepted plans for the development of a subdivision.

502.2 Material for the fill shall consist of material obtained from the excavation of banks, borrow pits, or other approved sources. The material used shall be free from vegetable matter and other deleterious substances, and shall not contain large rocks or lumps.

502.3 Areas to be graded by cutting or filling shall be rough-graded to within 0.2 of a foot of the accepted elevation after necessary allowance has been made for the thickness of topsoil, paved areas and other installations.

502.4 All timber, logs, trees, brush, vegetable matter, and other rubbish shall be removed, and disposed of so as to leave the areas that have been disturbed with a neat and finished appearance.

502.5 Fill material shall be placed in layers which when compacted shall not exceed nine inches (0'-9") in depth. Each layer shall be spread evenly and shall be thoroughly blade mixed during spreading to insure uniformity of material in each layer. The moisture content of the fill material shall be such that the fill can be compacted to the maximum practical density as determined by ASTM Soil Test D 698-57T or its current equivalent.

502.6 Grading shall be continued until the area conforms to the lines grades, slopes, and typical cross sections shown on the accepted plans.

502.7 No fill material shall be placed, spread, or rolled while the ground or fill is frozen, thawing, or during unfavorable weather conditions. When the work is interrupted by heavy rain, fill operations shall not be resumed until the moisture content and density of the fill are as previously specified.

Section 503 – Streets

503.1 Street right-of-way widths, pavement widths, traffic lane, drainage, parking, grades, sight distance, reverse curve tangent length, vertical curve length, and design speed shall conform to the recommended standards shown in the Comprehensive Plan and where not shown therein shall be as follows:

Table 5.1 – Street Section Standards

Street Type	Minimum R.O.W. ¹	Pavement Width	Traffic Lanes		Drainage	Parking Permitted
			No.	Width		
Arterial	120'	Varies	4	12'	OD ² or CG ³	No
Collector	70'	36'	2	12'	CG ³	Yes ⁴
Minor Row Houses & Apartments	60'	34'	2	10'	CG ³	Yes ⁴
Minor Other Residencies	50'	32'	2	10'	CG ³	Yes ⁴

1. Right-of-Way
2. Open Ditch
3. Curb & Gutter
4. Both Sides

Table 5.2 – Street Design Standards

Street Type	Grade		Min. Sight Distance	Min. Length Vertical Curve	Min. Tangent Length between Reverse Curves
	Min.	Max.			
Arterial	0.4%	4.0%	500' ¹	200'	250'
Collector	0.4%	8.0%	300'	100'	150'
Minor Row Houses & Apartments	0.4%	10.0%	200'	50'	100'
Minor Other Residencies	0.4%	10.0%	200'	50'	100'

1. 500' with median, 800' without median

Figure 5.2 – Typical Street Sections: Street with Open Ditch

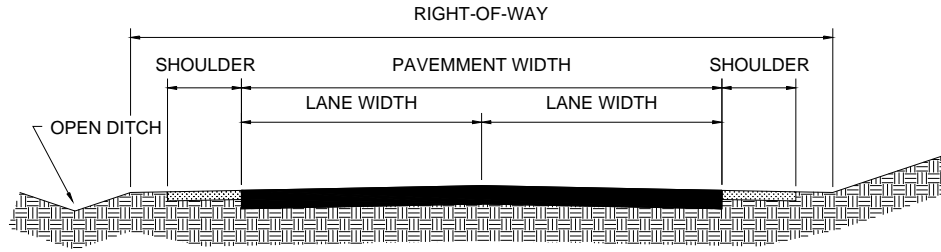
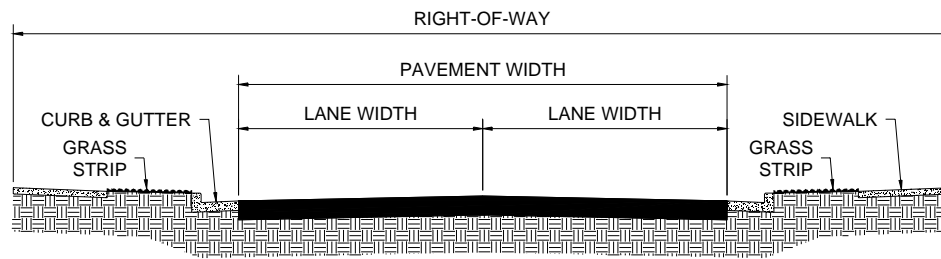


Figure 5.3 – Typical Street Sections: Street with Curb & Gutter



503.2 Grading, excavation, or other earthwork associated with the subdivision shall be performed in accordance with the most recent publication of the Mississippi Standard Specifications for State Aid Road and Bridge Construction.

503.3 All design, construction, and materials must conform to the appropriate sections of the Mississippi Standard Specifications for State Aid Road and Bridge Construction.

503.4 The developer shall construct streets, including all grubbing, grading, laying of sub-base, base, pavements, curbs and gutters, culverts, bridges and other structures in accordance with the most recent publication of the Mississippi Standard Specifications for State Aid Road and Bridge Construction.

503.5 Pavement and base design shall be as follows:

- a. Pavement and base design shall be in accordance with the methods adopted by the Division of State Aid Road Construction, Mississippi Department of Transportation. Pavement shall be designed for a minimum gross load of 56,650 pounds with 18,000 pound axle. Design will be based on:
 1. Projected traffic including percentage of trucks
 2. Support value of underlying soil

b. Pavement may consist of hot bituminous plant mix, double bituminous surface treatment or Portland cement concrete pavement. Minimum thickness of pavements:

1. Minimum thickness of pavements:
 - Hot bituminous plant mix 1 ½”
 - Portland cement concrete pavement 5”

2. Minimum thickness of base:
 - Granular material class 1 – class 4 6”
 - Cement stabilized granular material 6”
 - Fly ash stabilized granular material 6”
 - Plant mix bituminous base 4”
 - Asphalt stabilized base 6”
 - Granular material sub-base 3”

c. All base materials, construction and testing shall be in accordance with Mississippi Standard Specifications for State Aid Road and Bridge Construction, Latest Edition.

503.6 Curbs and gutters, when required, shall consist of Portland Cement Concrete constructed on the prepared subgrade and shall be standard, rolled, or valley type as approved or designated by the City. Curb cut ramps shall be placed at all street intersections as well as possible future crosswalk areas to accommodate physically handicapped persons. The ramp width shall be four (4) feet minimum, exclusive of the side slopes.

503.7 No trees or shrubs will be permitted to be placed at street intersections or within the boundaries of dedicated streets unless specifically approved by the Mayor and Board of Aldermen as part of the preliminary plat approval process.

503.8 Street name signs shall be constructed at all street intersections in accordance with applicable City standards.

503.9 Underground utilities which are to be located under the street pavement or in the street right-of-way shall be installed and extended to the property line prior to the placing of the pavement and the curb and gutter.

503.10 At the time of having the subdivision dedicated, the subdivider shall furnish, to the City, a Surety Bond or Subdivision Bond Signed by a surety company authorized to do business in the State of Mississippi in the amount of the estimated cost of constructing the streets and utilities therein, guaranteeing the faithful performance of all covenants, stipulations, and agreements and guaranteeing the work against the incorporations of faulty materials or poor workmanship for a period of one year after acceptance of the subdivision.

503.11 Streets shall be constructed such that the centerline of the pavement corresponds to the centerline of the right-of-way, unless otherwise permanently and clearly marked.

Section 504 – Drainage and Stormwater Sewer System

504.1 A subsurface stormwater sewer system, including drainage culverts, inlets, catch basins junction boxes and all other necessary components shall be installed by the developer throughout the proposed subdivision.

- a. The entire storm drainage system should be designed to carry not less than the stormwater from a rainfall expected to occur once in twenty-five (25) years with a runoff factor calculated on the basis of topography and percolation test subject to the approval of the Building Official.
- b. Erosion, sediment, and stormwater controls consistent with guidance from the Mississippi Department of Environmental Quality shall be incorporated into the design and construction of the subdivision.
- c. Stormwater controls shall limit the rate of discharge from the property to the pre-development flow rate unless otherwise approved by the Building Official.
- d. In no case shall open ditches be permitted without the approval of the Planning Commission at the recommendation of the Building Official.

504.2 Areas subject to ponding or inundation must be indicated on the preliminary and final plats. In as much as Federal and Mississippi State Law, regulations and procedures allow, provisions must be made to eliminate the ponding before the Planning Commission recommends approval of the plat to the Mayor and Board.

504.3 No property proposed to be subdivided within the City will be allowed to be filled, graded, cleared or contoured, nor shall any other action be taken thereon whereby the surface drainage from said property will be created, increased, redirected, re-routed, funneled, dispersed, or otherwise affected unless and until all requirements and provisions of this Ordinance are fully complied with. Provided, however, if the property in question is less than 2,500 square feet in size or the amount of fill or grading involved is, in total, less than 5 cubic yards, the provisions of this section shall not apply, unless such area will affect any natural drain.

504.4 Prior to any work being done falling within the provisions of these regulations, preliminary plat approval shall first be obtained from the City.

504.5 The developer shall provide calculations indicating the expected impact of development on the off-site upstream and-downstream drainage.

- a. Calculations will be provided prior to preliminary plat approval.

- b. Development shall in no way be an obstruction to natural or existing drainage.
- c. The Building Official will determine how far upstream and downstream the developer's engineer must evaluate the impact of the proposed subdivision's off-site drainage.

504.6 The grading and drainage plan will show the existing and general proposed finished grading of each lot, as well as proposed finished floor elevation for each lot. Erosion, sediment, and stormwater controls consistent with guidance from the Mississippi Department of Environmental Quality (MDEQ) shall be incorporated into the design. Stormwater controls shall limit the rate of discharge from the property to the pre-development flow rate unless otherwise approved by the Building Official.

504.7 Drainage of storm water will not be allowed to cross the centerline of any street as it flows over the street pavement surface. Gutter flow lines must drain into a curb inlet or catch basin and the use of flumes through the back of curbs will not be allowed. Alleys may be utilized for the conveyance of storm water provided the anticipated volume of flow and depth of flow is indicated on the drainage plan and approved by the City.

504.8 Catch basins and curb inlets will be spaced at an approximate distance to ensure that water in the gutter will not be more than eight (8) feet into the street measured from the back of the gutter. Curb inlets shall not have more than a seven (7) inch vertical opening and shall not cause a hazard to pedestrians. Junction boxes, curb inlets, and catch basin sizes and openings shall be designed to be of sufficient capacity to handle the amount of stormwater drainage into it and shall in no way cause a restriction to the amount of drainage going through the inlet or outlet pipes at that respective location.

504.9 The outlet ends of culverts will terminate with a flared end section or headwall with a slope to the top of the bank above the outlet of a minimum of three (3) feet horizontally to one (1) foot vertically. The outlet ends of culverts will also have permanent erosion control and dissipaters as well as provisions to prevent sedimentation of downstream drainageways during subdivision construction and development on each lot.

504.10 The stormwater sewer system design and plans shall include the following:

- a. The proposed finish invert elevations will be shown at the inlets, outlets and at any changes in slopes.
- b. Catch basin or curb inlet elevations will be shown.
- c. Calculations will be provided for the amount of rainwater runoff, based on a 25-year flood storm frequency, and required sizes, slopes and actual capacity for all culverts and ditches to handle this runoff.

- d. Any storm drain system installed within the City's right-of-way must consist of reinforced concrete pipe.
- e. Existing and proposed ditch cross sections in natural drainage areas will be provided.

504.11 Design and supervision of the construction of the stormwater system shall be done by Registered Professional Engineer, provided by the developer, and said Engineer shall submit reports as required by the Building Official.

504.12 Driveways crossing side ditches shall be constructed to a minimum width of ten (10) feet with head walls at both ends the culvert pipe or fifteen (15) feet without headwalls at both ends of the culvert pipe laid to the profile of the ditch invert.

504.13 Drainage ditches placed alongside streets shall be constructed as to prevent undermining of the streets by storm waters.

Section 505 – Water System

505.1 All water systems shall be designed, constructed, inspected and tested in accordance with the applicable and current Mississippi State Department of Health Bureau of Public Water Supply, except for more stringent requirements set forth by the specifications of these regulations or the City of Poplarville.

505.2 All new subdivisions shall be connected to the City of Poplarville's water supply system. In making the required connection, the developer shall pay a tap fee to the City and the City Superintendent shall perform the tap and provide the developer with a valve or other appropriate means of connecting the subdivision to the City water supply system. The developer will be responsible for any improvements required so that the existing water system can accommodate the increased demand place upon it due to the new subdivision.

505.3 The subdivision's water distribution system shall be designed to maintain a minimum static pressure of forty (40) psi and a minimum dynamic pressure of twenty (20) psi with a minimum fire flow rate of one thousand (1,000) gallons per minute in residentially zoned developments and a minimum fire flow rate of two thousand (2,000) gallons per minute in commercially or industrially zoned developments, or such pressure and flow specifications as required by the Building Official and City Superintendent.

505.4 Pipe sizes - All water mains should be designed based on hydraulic analysis using an appropriate friction coefficient to obtain the above pressure and flow rate requirement, but in no case shall a water main be less than six (6) inches in diameter except for short dead end lines less than two hundred (200) feet and serving residential areas.

505.5 Water System Materials - The work, materials, and related activities shall be non-toxic and approved for use in potable water systems in accordance with the latest standards of the American Water Works Association (AWWA), American National Standards Institute (ANSI), Uni-Bell Pipe Association (UBPA), Mississippi Department of Health (MDH), Mississippi Department of Environmental Quality (MDEQ), and any other related State or Federal standards or requirements.

- a. All materials used in the subdivision water system shall not contain any lead substances.
- b. All water mains shall be of Polyvinylchloride (PVC) or Ductile Iron (DI) manufactured as specified herein.

505.6 PVC Pipes - All PVC pipe and fittings shall conform to the latest edition of AWWA C-900 and shall be made from Class 12454-A or B materials per the latest edition of ASTM D-1784.

- a. Pipe shall be a minimum of SDR 18 unless otherwise specified, for a working pressure rating of 150 PSI.
- b. All pipe shall conform with the outside diameter (OD) dimensions of DIP to facilitate use of DIP fittings, standard cast iron valves and specials.
- c. All joints shall be elastomeric seals conforming to the latest edition of ASTM D-3139 with gaskets conforming to the latest edition of ASTM F-477.
- d. All pipe shall bear the seal of the National Sanitation Foundation (NSF).
- e. All jointing shall be made in accordance with the manufacturer's recommendations.

505.7 Ductile Cast Iron Pipe - All pipes shall be centrifugally cast in metal or sand lined molds manufactured in accordance with the latest edition of ANSI A21.51 (AWWA C 151).

- a. Pipe shall be class 50 Ductile Cast Iron unless otherwise specified.
- b. All pipe and fittings shall be tested for minimum 150 PSI working pressure, laying condition Type 2 flat bottom trench without blocking, tamped, backfilled, and under three (3) feet of cover.
- c. All pipes and fittings shall be factory-coated on the outside with coal tar enamel conforming to the latest edition of A 21.5 and lined inside with a minimum of 1/16 inch cement lining in accordance with the latest edition of ANSI A 21.4 (AWWA C-104).

- d. Ductile cast iron pipe installed pursuant to these specifications shall be encased with an 8 mil thick loose polyethylene encasement in accordance with the latest edition of A 21.5 (AWWA C-105).
- e. Joints for ductile cast iron pipe shall be slip-on type unless otherwise specified and all joints for fittings, valves, and specials shall be mechanical joints.
 - 1. Slip-on pipe joint for ductile cast iron pipe shall conform to the latest edition of ANSI A 21.11 (AWWA C 111) except that the joints shall be made with a special gasket seal Super-Bel Tite as manufactured by Clow Corporation or approved equal.
 - 2. Lubricants shall be non-toxic, odorless, tasteless, and shall not support bacteria, and shall be specifically manufactured for the pipe utilized in the construction of potable water systems.
 - 3. Mechanical joint pipes shall conform to the latest edition of ANSI A 21.11 (AWWA C-111).
- f. All fittings shall be ductile iron and shall conform to the latest edition of AWWA specifications for ductile iron fittings and the minimum wall thickness of the fittings shall be determined consistent with trench conditions 'B' and less than three (3) feet cover.
- g. All fittings shall be coal tar coated outside and cement lined inside in accordance with the latest edition of AWWA C-104 (ANSI 21- 4), except cement lining may be half of thickness (enameline type) with bituminous seal coating, per Federal Specification WW-PO42A where approved by the Engineer.

505.8 Valves

- a. Gate Valves shall comply with the latest edition of AWWA C-500 or AWWA C-509 as manufactured by Mueller.
 - 1. Gate valves, for sizes 14 inch and larger, shall be iron body, fully bronze mounted, double disc, parallel seat, non-rising stem, and shall open counter-clockwise.
 - 2. Gate valves, for sizes 3-inch through 12-inch, shall be resilient-seated for water service.
 - 3. All gate valves shall have a maximum working pressure of 200 PSI and be tested at 400 PSI.

4. The thrust collar and other bearing surfaces shall be permanently lubricated with oil.
 5. The disc mechanism shall be designed so that the seating pressure is applied equally at multiple separate contact points near the outer edge of each disc by a bronze or alloy wedging mechanism.
 6. Gate valves shall be equipped with mechanical joint connections unless otherwise specified.
- b. Check Valves shall be as manufactured by Mueller, Series A 2602-06-01 or approved equal, and shall be iron body, counter-weighted non-slam, swing type with straight-away passage of full pipe area, and renewable bronze seat ring with resilient faced disc.

505.9 Services - Service piping shall be 200 PSI PVC Polyethylene or Type "K" copper and shall conform to the applicable AWWA/ASTM/ANSI Standards and designed for working pressure compatible with the water mains specified above.

505.10 Valve Boxes - Valve Boxes shall be two piece, screw type, 5¼ inch shaft, as manufactured by the Mueller Company, or approved equal.

- a. Contractor shall supply boxes with the correct base for all valves and in correct length for field conditions.
- b. The letter "W" or the word "WATER" shall be cast in the valve box cover.
- c. Valve box castings shall be manufactured of clean, even grain, gray cast iron conforming to ASTM Designation A 48, Class 30B, Gray Iron Castings; and be smooth true to pattern, free from blow holes, projections, or other harmful defects.
 1. Coat the valve boxes with a single coat of coal tar pitch before machining, so that machined seating surfaces will be free of any coating.
 2. Machine the seating surfaces so that the cover will not rock.

505.11 Corporation Stops and Curb Stops - Corporation stops and curb stops shall be Ford B43-232WG and Ford F 1000 respectively as manufactured by Ford Company or approved equal.

505.12 Service Clamps - Service clamps shall be Ford 202B, double brass strap design as manufactured by Ford Corporation or approved equal and All service connections or PVC mains shall be equipped with service clamps unless otherwise noted.

505.13 Water Meters - Water meters shall be the positive displacement type with hermetically sealed registers and shall be read in gallons, shall be manufactured by Sensus or approved equal, and shall be complete with stub connections.

505.14 Specials - The term specials shall include plugs, caps, and other items as needed. Specials shall be of the same material as the pipe material being used or as approved by the Engineer, shall conform to the applicable AWWA/ASTM/ANSI Standards, and shall be designed for the working pressure of the water mains on which they are being installed.

505.15 Separation of water and sewer mains as well as water main crossings of surface water bodies and ditches shall be in accordance with the current standards of the appropriate Mississippi State Authorities.

505.16 Water mains shall be located on opposite sides of the street right-of-way from sewers where possible.

505.17 The proposed subdivision water system shall be designed so that all water users are individually metered.

505.18 The Building Official, City Engineer, and City Superintendent shall review the proposed water system design with regard to the inclusion and location of system components including but not limited to the following: Flushing hydrants, fire hydrants, valve locations, avoidance of cross connections, provision of backflow prevention devices, location of meters, connections to the City's existing water main, materials proposed for installation, and other such considerations.

505.19 Fire hydrants being manufactured by M&H, painted yellow, and having national standard thread, installed on lines of at least six inches in diameter, shall be located throughout the subdivision so that there is a hydrant within the following distances to any possible structure:

- a. 500 feet for residentially zoned subdivisions measured along the street edge.
- b. 350 feet for commercially or industrially zoned subdivisions measured along the street edge or along any other route appropriate for laying a fire hose.

505.20 At every fire hydrant installation, a six (6) inch gate valve and box shall be installed between the main line and the fire hydrant.

505.21 Design and supervision of the construction of the proposed water system shall be done by Registered Professional Engineer, provided by the developer, and said Engineer shall submit reports as required by the Building Official and City Superintendent.

505.22 Prior to the assumption by the City of the maintenance of the water system, the subdivider shall convey title of the system to the City.

505.23 When any of the water mains within a proposed subdivision are so located that portions thereof may become a segment of a primary water transmission main, the Building Official and City Superintendent may require the subdivider to install water lines for that portion of the system which may become a primary transmission main of such size as may be necessary to facilitate future expansion of the water system. In these instances the City shall reimburse the subdivider for the extra cost incurred by installing larger mains.

Section 506 – Sanitary Sewer System

506.1 All subdivisions hereafter created within the City of Poplarville shall be connected to a public sanitary sewer system.

506.2 The developer shall coordinate the layout, design, and proposed installation of the sanitary sewer system with the Pearl River County Utility Authority, and shall develop the subdivision in accordance with the rules and regulations promulgated by said Authority. Proof of such coordination shall be provided to the City of Poplarville throughout the process of developing the proposed subdivision.

506.3 Prior to approving the final plat for any proposed subdivision or portion thereof, the developer shall provide to the City of Poplarville proof that the Pearl River County Utility Authority has or will accept the sanitary sewer infrastructure associated with the proposed subdivision for perpetual maintenance and operation.

Section 507 – Private Utility Systems

The following plans and information must be submitted prior to preliminary plat approval and should include:

507.1 Street lighting plans in which lights will be placed approximately three hundred (300) feet apart so that the foot candle level is between 0.2 to 0.4 and the uniformity ratio is between 6:1 to 10:1. Prior to application for final plat approval, the developer must pay the appropriate electricity supplier for the material and installation costs of street lights. Furthermore, the developer is responsible for all costs associated with the installation of private utilities and services in the subdivision. The City will not be responsible for electric charges in the vicinity of each light until authorization of the Mayor.

507.2 All private utility crossings under the City rights-of-way or easements where the developer is to dedicate improvements to the City will be shown. Utility lines will be laid in conduits at these crossings. The conduits will be placed in these crossing locations prior to construction of the street, water line, sewer line, or storm drainage system.

507.3 Critical private utilities must be installed throughout the subdivision with fully functional services to every lot prior to the approval of the final plat.

Section 508 – Sidewalks

508.1 Sidewalks shall be constructed in all residential subdivisions and at all new commercial building locations, with said sidewalks being constructed in the street right-of-way in every case practicable.

508.2 Placement of the sidewalks will be a minimum of five (5) feet behind and parallel to the back of the street curbs; however, placement may vary under conditions requiring a variation when such is deemed necessary by the Building Official.

508.3 In residential districts, sidewalks shall be four (4) feet wide and four (4) inches of thickness of 2500 psi mix concrete.

508.4 In commercial or industrial zoned areas sidewalks shall be a minimum of six (6) feet wide and four (4) inches of thickness of 3000 psi mix concrete, and in said districts, the sidewalks may abut the street curb.

508.5 All sidewalks will be required to have reinforcing wire mesh only in those sections or portions used for driveways.

508.6 All sidewalks must have expansion joints placed at 25-foot intervals and at driveways, curbs or any other major abutting structures, and will have transverse contraction joints one (1) inch deep every four (4) feet longitudinally along the ramps and transition areas with flared sides as required by current Federal and State standards. The maximum transverse slope for sidewalks will be one (1) inch vertically across the four (4) feet width and the maximum longitudinal slope will be one (1) inch vertically to one (1) foot horizontally.

508.7 All sidewalks must be completed prior to any building or house receiving a final inspection or certificate of occupancy; provided, however, that in the event a sidewalk cannot be constructed for good cause shown, a final inspection or certificate of occupancy may be obtained by the posting of a cash bond with the City in the amount equal to twice the cost of installing the sidewalk, as estimated in writing by the Building Official.

508.8 In the event that it can be shown that the sidewalks required herein would be impractical to install or would serve no useful purpose, the requirements of this section may be waived in part or in entirety by the Mayor and Board upon same being recommended by the Planning Commission.

Section 509 – Underground Wiring

509.1 All electric, telephone, television, and other communication lines, both main and service connections, servicing new developments, shall be provided by underground wiring with easements or dedicated rights-of-way, installed in accordance with the prevailing standards and practices of the utility or other companies providing such services.

509.2 Lots that abut existing easements or rights-of-way where overhead electric or telephone distribution supply lines and service connections have previously been installed may be supplied with electric service from the overhead, lines, but the service connections from the utilities overhead lines shall be installed underground. In the case of the existing overhead utilities, should a road widening, or the extension of service, or other connection occur as a result of the subdivision and necessitate the replacement or relocation of such utilities, such replacement or relocation shall be underground.

Section 510 – Erosion Control

510.1 Design and construction of all required improvements must include considerations for preservation of natural ground cover and desirable growth of shrubs and trees within the right-of-way and easements.

510.2 Seeding, mulching and sodding of slopes, swales and other erodible areas must be included in the design plans as well as plans for the prevention of sedimentation in stormwater sewer systems and natural drainage areas during the development and construction on each lot of the subdivision.

510.3 Other erosion-prevention measures may be necessary depending upon climatic conditions, natural environment and site conditions, and any such additional measures shall be determined by the Building Official.

510.4 No slopes of soil materials shall be steeper than three horizontal to one vertical (3:1) or the maximum required for soil stability, whichever results in a more gradual slope.

ARTICLE VI – VARIATIONS AND MODIFICATIONS

600 - Variances

600.1 The Mayor and Board of Aldermen shall have the power to vary these regulations when it can be shown by the subdivider that extraordinary hardships unique to the site (not economic hardship) are brought about by strict compliance with these regulations and that a variance is required so that substantial justice may be done and the public interest secured provided.

600.2 Any variance approved by the Mayor and Board must be entered into the minutes of the Board of Aldermen along with the reasons and justifications set forth.

600.3 Prior to consideration of such variance, the Planning Commission shall conduct a public hearing thereon and shall forward to the Mayor and Board its written recommendations.

600.4 Application for a variance shall be filed with the Building Official. The application shall be made on a form prescribed by the Building Official and shall include the following:

- a. Name and address of the owner or applicant.
- b. A legal description of the property, which shall include, but not limited to: deed of current ownership (not a Deed of Trust,), tax parcel number identification, and street address.
- c. If the applicant is not the legal owner of the property, a statement that the applicant is the authorized agent of the owner of the property.
- d. A statement describing the variance request and a description of any extraordinary hardship(s) purported to exist.
- e. Maps, plats, or drawings, sufficiently dimensioned and detailed as required to illustrate the following, to the extent related to the variance application:
 1. Those conditions or circumstances unique to the property which give rise to the variance request, which may include parcel geometry, wetlands, floodplains, topographic conditions, historic sites, or other such features.
 2. The proposed subdivision design features which would exist if the variance, as requested, was granted.
 3. The boundaries of the subject property together with adjacent streets and adjoining properties

4. The Building Official may request additional information necessary to enable a complete analysis and evaluation of the variance request, and determination as to whether the circumstances prescribed for the granting of a variance exist.
5. A fee established by the City shall accompany the application. A single application may include request for variances from more than one regulation applicable to the same site, or for similar variances on two or more adjacent parcels with similar characteristics.

600.5 Public Hearing and Notice

The Planning Commission shall act on the application not more than 30 days following the filing of said application. Notice of the public hearing for a variance from the Subdivision Regulations by the Planning Commission shall be by publication in a newspaper having general circulation throughout the City of Poplarville, with said publication appearing at least 15 days prior to the date of the hearing.

600.6 Action by the Planning Commission

The Planning Commission shall act on the application not more than 10 days following the closing of the public hearing on a variance. The Planning Commission may recommend that a variance be granted as the variance was applied for or in a modified form or subject to conditions, or the application may be denied. A variance may be revocable, may be granted for a limited time period, or may be granted subject to conditions as the Planning Commission may prescribe.

600.7 The Planning Commission may grant a variance provided affirmative findings of fact are made on each of the following criteria:

- a. That special conditions and circumstances exist which are peculiar to the land. By way of example, special conditions or circumstances peculiar to land could include irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions.
- b. That special conditions and circumstances do not result from the actions of the applicant.
- c. That granting the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands, similarly situated.
- d. The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

- e. In recommending that any variance be granted, the Planning Commission may prescribe appropriate conditions and safeguards in conformity with these regulations. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of these regulations and punishable as determined within these regulations.
- f. Variance applications, reports, and recommendations shall be transmitted to the Board of Aldermen for final disposition.

600.8 A variance shall run with the land and shall continue to be valid upon a change of ownership of the site to which it applies, except as provided in Section 600.9.b.

600.9 Legislative Disposition

- a. The Mayor and Aldermen shall examine all such applications, reports, and recommendations transmitted to it and shall take further action as it deems necessary and desirable to approve, disapprove, modify, or remand to the Planning Commission for further considerations.
- b. The owner, agent, or lessee of property that requested a variance and subsequently was granted said variance by the Mayor and Aldermen must secure a preliminary plat approval within one (1) year of the variance being granted, or said variance will expire.

ARTICLE VII – AMENDMENTS

700 - Hearing and Amendments to Subdivision Regulations.

700.1 Prior to any amendments, supplements, modifications, or changes to this ordinance, the following requirements shall be met:

- a. There shall have been held in relation thereto a public hearing before the Planning Commission at which parties in interest and citizens shall have had an opportunity to be fully heard.
- b. Notice of the proposed change and of the time and place of the hearing shall have been published in a newspaper having a general circulation in the City of Poplarville. At least fifteen (15) days shall elapse between the first publication and the date of the hearing.

700.2 After the public hearing as provided above, the Planning Commission shall submit its recommendation to the Mayor and Board for due consideration and action.

700.3 Amendments, supplements, changes and modifications may be initiated by any one or combination of the following: Mayor, Board of Aldermen, City Clerk, Planning Commission, Building Official, or General Public.

ARTICLE VIII - PENALTIES

Section 800 – Penalties

800.1 Any person, firm, or corporation using an unapproved and unrecorded plat in the sale of subdivided land or violating any of the terms or provisions of this ordinance shall be guilty of a misdemeanor and, upon conviction, shall be punished by fine of not more than one thousand dollars (\$1,000.00) or imprisonment for not more than 30 days, or by both such fine and imprisonment. Each violation and each day's failure to comply with the provisions of these regulations shall constitute a separate violation.

ARTICLE IX – CONFLICT OF ORDINANCES: EFFECT OF PARTIAL VALIDITY

Section 900 –Conflicting Ordinances

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 901 –Severability

If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance should be declared invalid for any reason whatsoever such decision shall not affect the remaining portion of the ordinance, which shall remain in full force and effect; and to this end, the provisions of this ordinance are hereby declared to be severable.