

ORDINANCE 94-6

**AN ORDINANCE OF THE TOWN OF UNICOI TENNESSEE
ESTABLISHING SUBDIVISION, AND ROAD AND STREET
REGULATIONS**

WHEREAS the board of mayor and aldermen find a need to regulate the pavement of roads, streets, and subdivision pavement and

WHEREAS the Town of Unicoi has found it to be in the best interests of its citizens and the community as a whole and

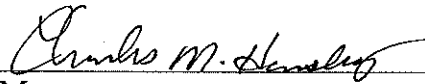
NOW, THEREFORE, BE IT ORDAINED by the board of mayor and aldermen of the Town of Unicoi, Tennessee that:

The Town of Unicoi has written Ordinance 94-6 which lays out the town's rules and regulations, herewith attached.

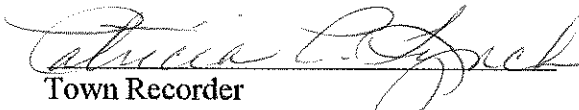
This ordinance shall take effect from and after its passage, the public welfare requiring it.

Passed on first reading: 12-19-94

Passed on second reading: 01-03-99-95cmH



Mayor



Town Recorder

**TOWN OF UNICOI
TENNESSEE**

**SUBDIVISION
REGULATIONS**

ADMINISTRATIVE PROCEDURES FOR STREET ACCEPTANCE IN THE TOWN OF UNICOI, TENNESSEE

Purpose

Street construction is the first step in the process of community development. Street upkeep and improvement sooner or later becomes a public responsibility and the public must pay for widening, paving, and for the correction of any defects. It is therefore in the best interest of the public to insure that streets are developed in accordance with sound rules and proper minimum standards. The Town of Unicoi Board of Mayor and Aldermen has adopted standards for the development of streets within the Town of Unicoi and has authorized the Town of Unicoi Planning Commission to insure that these standards are met. The following procedures have been established to give guidance to anyone who proposes to construct a street in the Town of Unicoi.

PROCEDURE FOR STREET APPROVAL

The procedure for review and approval of a street consists of two steps. The first step is the preparation and submission to the planning commission of a preliminary sketch plat of the proposed street. The second step is the preparation and submission to the planning commission of a final plat together with required certificates. This final plat becomes the instrument to be recorded in the office of the county register when duly signed by the secretary of the planning commission.

A. General

1. Any owner of land lying within the corporate limits of the Town of Unicoi wishing to construct a street shall submit a plan of such proposed street to the Town of Unicoi Planning Commission for approval and shall obtain such approval prior to the construction of the street. This plan shall meet the standards of design for street acceptance as set forth by the Town of Unicoi Board of Mayor and Aldermen minimum street standards. No plat of a street within the Town of Unicoi Planning Commission shall be filed or recorded by the Registrar of Unicoi County without the approval of the Town of Unicoi Planning Commission as specified herein.
2. In order to secure review and approval of the planning commission of a proposed street, the prospective developer shall, prior to the making of any street improvements or installation of utilities, submit to the planning commission a preliminary sketch plat showing how the new street will be constructed. Once the preliminary plat has been approved by the planning commission the developer can proceed with street improvements as outlined in the Town of Unicoi's minimum street acceptance standards.

3. After completion of a street, which meets the town's minimum street acceptance standards, the developer shall submit a final plat to the Town of Unicoi Planning Commission. The final plat shall show:

- a. The lines of all streets and roads, reservations, easements, and any areas to be dedicated to public use or sites for other than residential use with notes stating their purpose and any limitations.
- b. Sufficient data to determine readily and reproduce on the ground the location, bearing and length of every street line, boundary line, and including north point.
- c. All dimensions to the nearest one hundredth (100th) of a foot and angles to the nearest minute.
- d. Location and description of monuments.
- e. The names and locations of adjoining streets and the location and ownership of adjoining property.
- f. Date, title, name and location of street, graphic scale and north point.
- g. Location sketch map showing street in relation to area.

the

4. When the final plat has been approved by the planning commission one copy will be returned to the developer, with the approval of the planning commission certified thereon, for filing with the County Registrar as the official plat record.

A RESOLUTION ESTABLISHING MINIMUM STANDARDS FOR ROADS
CONSTRUCTED WITHIN THE TOWN OF UNICOI BY THE PRIVATE SECTOR
WHEN TITLE TO SUCH ROADS IS TO BE TRANSFERRED TO THE TOWN OF
UNICOI

WHEREAS, it is essential that the Town of Unicoi establish certain minimum standards for roads constructed within the corporate limits of the Town of Unicoi by private contractors or individuals when title thereto is to be transferred to the Town, and

WHEREAS, it is desirable that the Town of Unicoi ascertain and insure that certain minimum standards for roads have been fully complied with before the Town will accept title thereto, now

THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the Town of Unicoi, Tennessee that from this day forth all privately constructed roads shall meet the following minimum specifications if the Town of Unicoi is to assume ownership of, and responsibility for the maintenance of such roads.

1. The right-of-way for any road or roads entering into and exiting from any subdivision shall be at least forty feet (40') in width.

a. For the purpose of this resolution the Town of Unicoi Planning Commission shall have the responsibility in determining whether a road is to be classified as a subdivision road.

b. All subdivision roads shall have at least twenty-two feet (22') of paved road bed with a minimum of three (3') of shoulder on each side of the road. The paved portion of the road shall consist of a minimum of four inches (4") of gravel base which base must be of one inch (1") diameter, or less, gravel and shall be topped by two inches (2") of fine gravel or chat properly graded and rolled or packed. The road will then be paved with a minimum of two inches (2") of asphalt. The asphalt topping must be of the same quality as that used by the State of Tennessee on state secondary roads.

2. The right-of-way for all other roads (unpaved or gravel roads), not constructed in conjunction with the development of a subdivision but for which the Town of Unicoi is to accept title, shall be at least forty feet (40') in width.

a. All other unpaved or gravel roads, for which the Town of Unicoi is to accept title, shall have a road bed of at least twenty-two (22') with a minimum of three feet (3') of shoulder on each side of the road and shall be properly graded and drained.

b. The road bed of all unpaved or gravel roads mentioned above shall have at least four inches (4") of gravel of which the bottom three inches (3") must be of one inch (1") diameter gravel, or less, topped by one inch (1") of fine gravel or chat properly spread and graded.

3. The following minimum standards are prescribed for roads constructed by private contractors or individuals if title to these roads is to be accepted by the Town of Unicoi.

a. Road banks shall be sloped to prevent rapid run-off of water and rock or mud slides.

b. Ditch lines shall be deep enough to carry that volume of water resulting from one inch of rain falling within one hour.

c. Tiles and culverts shall be of concrete or corrugated metal material and shall be of sufficient size to properly drain all ditch lines and feeder streams coming into them.

d. Any tile or culvert at least sixteen inches (16") and not more than twenty-four inches (24") in diameter shall have a header built of eight inches (8") of reinforced concrete or eight inch (8") concrete or cinder blocks filled with concrete and reinforced both horizontally and vertically with steel. Tiles or culverts over twenty-four (24") in diameter shall have a twelve inch (12") header constructed according to the specifications contained in this paragraph.

4. The Town of Unicoi Planning Commission [in conjunction with the Road Superintendent] will, within six months of this resolution, develop and make available to the public, a list of all roads in the Town of Unicoi whose title has been transferred to the Town and which the Town maintains. If any resident or property owner in the Town of Unicoi feels that a road has been omitted, they will have an additional six months in which to appeal to the Planning Commission to have any omitted roads added to the list.

a. At the first regular scheduled Board of Mayor and Aldermen of the Town of Unicoi meeting after the first year period, the Planning Commission will brief the Town Governing Body on the list of Town roads and recommend that the Board of Mayor and Aldermen formally accept title to the roads included in the road list.

b. After the road list has been accepted by the Board of Mayor and Aldermen, the Town of Unicoi will not accept title to and the Town of Unicoi will not be authorized to spend tax monies to maintain any road unless the provisions of paragraph 5 below has been compiled.

5. All private contractors or individuals who construct any roads in the Town of Unicoi after the date of this resolution are required to enter into an agreement with the Town of Unicoi Planning Commission prior to construction of the road(s) if title thereto is to be conveyed to the Town of Unicoi.

a. Such agreement shall specifically state that the builder of the road shall be responsible for the maintenance and upkeep of the road for a period of one year.

b. At the discretion of the Town of Unicoi, the road builder may be required to post satisfactory bond to insure that the road(s) are properly maintained for a period of one year.

c. If the contractor or private citizen and the Planning Commission agree on the construction of the road, the Planning Commission will monitor the construction and when the road is completed to the specification contained herein, will brief the Town Governing Body on the road and recommend that the Town Governing Body accept title for the road.

d. The one year maintenance requirement by the builder shall begin on the date that the Town Governing Body formally accepts title to the road.

e. If a contractor or a private individual does not agree with the Planning Commission on the type construction for a planned road, the contractor or private individual may appeal the decision of the Planning Commission to the Town Governing Body. The decision of the Town Governing Body will overrule any decision of the planning commission.

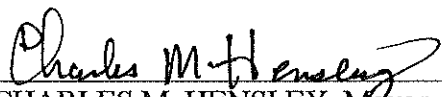
f. If a contractor or a private individual does not agree with the decision of the Town Governing Body, they may appeal said decision to appropriate courts.

6. All conveyances of title by deed or otherwise, to the Town of Unicoi for any road or roads not formally accepted by the Town of Unicoi shall be null and void.

7. The property owner or other individual transferring the right-of-way to the Town of Unicoi shall be responsible for all costs, including recording costs, of the instrument conveying title.

8. Any administrative instructions developed by the Planning Commission to enforce this resolution will be approved by the Town of Unicoi Board of Mayor and Aldermen prior to being published for public compliance.

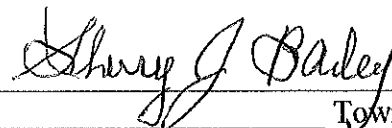
This Resolution was passed this the 19th day of December, 1994, on Motion made by Charles M. Hensley, Mayor, seconded by Johnny M. Lynch with a vote of 3 ayes 0 nays 0 absent.



CHARLES M. HENSLEY, Mayor

WILLIAM J. NUSS, Alderman

JOHNNY M. LYNCH, Alderman



Town Recorder

SUBDIVISION INSPECTION PROCEDURE

In order to insure the proper development of sub divisions within the corporate limits of the Town of Unicoi, a subdivision inspection system has been established. The planning commission has appointed a committee to inspect the progress of all developing subdivisions within its jurisdiction. The committee will inspect each developing subdivision three (3) times.

1. There will be an inspection immediately following clearance of the right-of way, and construction of subgrade.
2. Immediately following the laying and compacting of the six inch (6") stone base.
3. Before final approval is requested in order to insure that ditching, paving, culverts, seeding, etc., have been accomplished.

The developer of a subdivision will be responsible for notifying the committee during each of the above mentioned steps. The committee will make its inspection promptly to insure a minimum of delay to the developer.

Inspection committee contacts are listed below. Failure to notify the committee of completion of each step mentioned above could delay final approval of a subdivision.

The Town Governing Body will appoint the Planning Commission and Inspection Committee.

SUBDIVISION REGULATION

Drainage Requirements

1. Each plat submitted for approval shall include a drainage plan. The plan shall include controls for water altered from its natural course and shall control the water until it is returned to its natural course. The controls shall include temporary measures for sedimentation and erosion control. The plan shall be prepared by a qualified person.

2. The minimum culvert size shall be 15 inches and shall extend at least one foot beyond the toe of the slope.

3. Before any gravel is placed, the sub-grade shall be inspected by a member of the Inspection Committee. The planning Commission shall be notified of the inspection and its results and recommendations.