SUBDIVISION REGULATIONS

FOR

MADISON COUNTY, MISSISSIPPI

APPROVED
BY MADISON COUNTY
BOARD OF SUPERVISORS
Date 11-1-10
ARTHUR JOHNSTON, CHANCERY CLERK
BY Parker D.C.

TABLE OF CONTENTS
(Revised)

	Page
PREAMBLE	3
ARTICLE I: GENERAL	4
100: Title	4
101: Purpose	4
102: Scope	4
103: Definitions	5
ARTICLE II: PLAT PROCEDURE	7
200: Preapplication Conference	7
201: Preliminary Plat	7
202: Final Plat	9
203: Exceptions to Filing Plats	15
ARTICLE III: REQUIRED IMPROVEMENTS AND DESIGN STANDARDS	16
300: Improvements in Subdivisions	16
301: Streets	16
302: Monuments	20
303: Easements	20
304: Blocks	21
305: Alleys	21
306: Lots	21
307: Floodplain Areas	22
308: Water System	22
309: Sanitary Sewers	24
310: Storm Drainage	25
311: General Grading	26
ARTICLE IV: ENGINEER'S STATEMENT	28
ARTICLE V: MISCELLANEOUS	29
500: Fees	29
501: Variances	29
502: Penalties	30
503: Amendments	30
504: Validity	30
505: Repealer	30
506: Effective Date	30
APPENDIX	
STORM WATER ORDINANCE	A-1

AN ORDER RQUIRING SUBDIVISION PLATS AND ADOPTING SUBDIVISION REGUALTIONS FOR MADISON COUNTY, MISSISSIPPI, AND PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT THEREOF,

WHEREAS, the statutes of the State of Mississippi, Section 17-1-23 and 17-1-25 of the Mississippi code of 1972, empower the county to enact subdivision regulations and to provide for their administration, enforcement, and amendment; and

WHEREAS, the Board of Supervisors deems it necessary, for the purpose of promoting the health, and general welfare of the county, to enact such a regulation; and

WHEREAS, the Board of Supervisors has prepared such regulations designed to set forth certain procedures and standards to be followed in the development or redevelopment of land subdivisions in Madison County to assure that development of the county is orderly, healthful, efficient, and economical; therefore,

BE IT ORDERED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI:

ARTICLE I

GENERAL

100 TITLE

100.01 These regulations shall be known as the "Madison County Subdivision Regulation" and may be so cited.

101. PURPOSE

101.01 These regulations have as their purpose and are designed to:

101.01-01 Establish procedures governing the filing and approval of land subdivision plats and data in Madison County.

101.01-02 Establish minimum standards governing streets, utilities, and other required improvements.

101.01-03 Establish minimum standards governing the preparation and filing of land subdivision plats and data to be submitted to the county for approval.

101.01-04 Ensure the proper coordination of future streets and their development with existing or planned streets.

101.01-05 Fix penalties for the violation of the provisions of these regulations.

101.01-06 Provide that the county may vary these regulations in certain cases or under certain conditions.

102.SCOPE

102.01 It shall be unlawful for any person or entity, to lay out, subdivide, resubdivide, plat, or relplat any land into lots, blocks, or streets, or to sell property therein, which has not been subdivided, resubdivided, platted, or replatted according to these regulations.

102.02 The Board of Supervisors of Madison County will withhold improvements of any nature whatsoever, including the acceptance and maintenance of streets or roads and the issuance of building permits, until a plat of the subdivision has been approved by the Board of Supervisors and lawfully recorded in the Chancery Clerk's office. No lots shall be sold nor any plat recorded until such plat has been approved as required herein.

102.03 All land subdivision of two (2) or more lots or parcels, either by plat or metes and bounds description, for the purpose of transfer of ownership or building development, or regardless of size when the dedication or vacation of any street, road, or alley is involved, shall,

except as provided in Section 303, require a plat to be filed with and approved by the Board of Supervisors.

103 DEFINTIONS

103.01 For the purpose of interpreting this regulation, the following definitions shall be used. The word "shall" is mandatory and not discretionary.

103.01-01 Alley: A minor way used primarily for vehicular service to the rear or side of properties otherwise abutting on a street.

103.01-02 Board: The Madison County Board of Supervisors.

103.01-03 Building line: A line beyond which buildings must be set back from the street or road right-of-way line on which the property abuts.

103.01-04 Collector street: A street having a primary function of collecting and distributing traffic between local streets or areas and the major street of highway network.

103.01-05 Conditional: Granted or made on provisions set forth in this resolution.

103.01-06 County Engineer: The designated Madison County Engineer.

103.01-07 Cul-de-sac: A short minor street having but one vehicular access to another street and terminated with a vehicular turnaround, and not intended to be extended in the future.

103.01-08 Lot: Any parcel of land regardless of size for the purpose of transfer of ownership or building development.

103.01-09 Minor of local street: A street having a primary function of providing service and access to abutting properties and not designed or intended to carry large traffic volumes but having sufficient width for occasional parking.

103.01-10 100-year flood: the highest level of flooding that, on the average, is likely to occur once every one hundred (100) years.

103.01-11 Planning Commission: The duly appointed Madison County Planning Commission.

103.01-12 Plans: All drawings, including cross sections, profiles, working details, and specification, which the subdivider prepares for the purpose of showing the type, charter, extent, and details of the improvements, required under these regulations.

103.01-13 Plat: A drawing of any lot, tract, of parcel of land requested to be recorded on record in the office of the Chancery Clerk.

103.01-14 Resubdivision: the redivision of any part or all of any block or blocks of a previously platted subdivision, addition, lot, or tract.

103.01-15 Street: A right-of-way for vehicular traffic, whether designated a street, highway, thoroughfare, parkway, road, avenue, boulevard, place, or however otherwise designated.

103.01-16 Subdivider: Any person, owner, agent, or entity having control of any land within the unincorporated areas of Madison County and proposing to subdivide such land into lots.

103.01-17 Subdivision: Any division of any tract or parcel of land into two (2) or more lots or parcels for the purpose, whether immediate or future, of sale or building development. Including resubdivision or replatting of land, lots, or tracts.

ARTICLE II

PLAT PROCEDURE

200 PREAPPLICATION CONFERENCE

200.01 A preapplication conference should be held with the subdivider prior to preparation of the preliminary plat. The purpose of this conference is to afford the subdivider an opportunity to avail himself of the advice and assistance of the Planning and Zoning Administrator and the County Engineer before preparation of the preliminary plat and before formal application for its approval.

200.02 In the preapplication conference, the subdivider should provide general information on the type of subdivision proposed. This information may include data on existing zoning, land characteristics, and available community facilities and utilities shown on a vicinity map. It should include 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.

200.03 The subdivider should also consult with other parties potentially interested in the development, such as the Mississippi State Board of Health and the Mississippi Air and Water Pollution Control Commission, regarding the suitability of the location of the proposed subdivision, the most advantageous subdivision plan, the arrangement of streets and lots, and the types of water and sewer systems to be installed.

201 PRELIMINARY PLAT (CONSTRUCTION DRAWINGS AND PLAN)

201.01 Upon reaching conclusions regarding his general program and objectives, the subdivider may begin preparation of the required preliminary plat, together with construction plans for required improvements specified in Article III.

201.02 The preliminary plat and plans shall be at scale of not less than one (1) inch equals one hundred (100) feet and shall show the following proposed improvements and conditions.

201.02-01 Title under which proposed subdivision is to be recorded, with names and addresses of owners, notation stating acreage, graphic scale, north arrow (true north), datum, benchmarks, and date of survey.

201.02-02 Vicinity map at a minimum scale of one (1) inch equals one thousand (1,000) feet showing location of the site for the proposed subdivision.

201.02-03 Bearings and distances along boundary and mathematical closure of survey.

201.02-04 Location, width, and purpose of easements.

201.02-05 Names, right-of-way and roadway widths of streets, and approximate grades and gradients similar data for alleys, if any.

201.02-06 Lot lines, including lot numbers.

201.02-07 Sites, if any, to be reserved or dedicated for parks, playgrounds, or other public uses.

201.02-08 Lines sizes, approximate invert elevations (where appropriates) of utilities, and cross sections of principal drainage ditches.

201.02-09 Sites, if any, for apartment buildings, shopping centers, churches, industry, or other nonpublic uses exclusive of single-family dwellings.

201.02-10 Minimum building setback lines.

201.02-11 Contours based on mean sea level shall be shown with a two (2) foot interval when slope is less than four (4) percent; and spot elevations along canals or ditches and at any breaks in grade or changes in elevation not readily discernible from the contours shall be shown.

201.02-12 Waste courses, marshes, flood areas, wooded areas, houses, and other significant features.

201.02-13 Any proposed protective covenants.

201.03 Construction plans for required improvements as specified in Article III shall be shall be submitted for review and approval subsequent to the approval of the preliminary plat.

201.03-01 The improvements specified therein shall be designed by and constructed under the inspection of a registered professional engineer.

201.03-02 In order to obtain approval for the construction of improvements in a subdivision, the owners shall submit together in a subdivision, the owner or owners shall submit together with the preliminary plat, construction plans showing the types of improvement contemplated. The construction plans shall be prepared on sheets twenty-four (24) by thirty-six (36) inches and shall consist of a 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; or if applicable, standard plans issued by the Mississippi State Highway Department may be included for reference. The plan and profile sheets (streets and sanitary sewers) shall be drawn to a horizontal scale designated by the County Engineer and a vertical scale of one (1) inch equals ten (10) feet and shall be based on U.S. Government datum (mean sea level). Such plans and specifications for the proposed water and sewer system shall be

accompanied by written certification from the Mississippi State Board of Health and the Mississippi Air and Water Pollution Control Commission that the proposed systems and treatment facilities are in conformance with all applicable laws and regulations. Construction plans shall be accompanied by an erosion and sediment control plan as specified in Section 312.

201.04 Two (2) copies of the preliminary plat shall be submitted initially to the Planning and Zoning Administrator and (2) copies of the preliminary plat shall be submitted initially to the County Engineer. Two (2) copies of the construction plans for required improvements specified in Article III shall be submitted initially to the County Engineer with a letter requesting approval. All items to be considered by the Planning Commission must be filed by the 15th of the month to be scheduled for the following month's agenda.

If preliminary plat is in connection with rezoning, said plat shall be submitted to the Planning Commission as per the *Madison County Zoning Ordinance.*

201.05 Following a review of the preliminary plat and other material submitted for conformity to these regulations, and following negotiations with the subdivider on changes deemed advisable and the type of improvements to be made in the proposed subdivision, the Planning and Zoning Administrator and the County Engineer shall express informally their approval or disapproval and state the conditions of such.

201.06 The action of the Planning and Zoning Adminstrator and the County Engineer and any conditions thereof shall be forwarded to the Board of Supervisors. Upon approval by the Board of Supervisors, one (1) copy shall be returned to the subdivider and one (1) returned to the County Engineer.

201.07 Approval of the preliminary plat and plans shall not constitute approval of the final plat, nor shall the preliminary plat and plans be recorded in the Chancery Clerk's office. Approval of the preliminary plat and plans by the Board of Supervisors shall constitute authorization for the subdivider to proceed with construction of the subdivision. Construction of all required improvements is subject to inspection and approval by the County Engineer and other appropriate officials or agencies which have a lawful interest in the development. All construction shall be done in conformance with the approved preliminary plat and construction plans.

201.08 All preliminary plats and construction plans must be resubmitted if time between approval of Preliminary Plat and commencement of construction is in excess of one (1) year.

202. FINAL PLAT

202.01 The final plat shall conform substantially to the preliminary plat as approved; and if desired by the subdivider, it 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. The plat or plats shall be drawn on sheet of good muslin-backed paper, eighteen (18) by twenty-four (24) inches, and when necessary the plat

may be on several sheets accompanied by an index sheet showing the entire subdivision. The final plat shall be prepared at a scale of one (1) inch equals one hundred (100) feet and shall contain the following information.

202.01-01 Primary control points, approved by the County Engineer, or descriptions and "ties" to such control points to which all dimensions, angles, bearings, and similar data on the plat shall be referred. Section lines and half section lines with ties to lot corners shall be shown.

202.01-02 Tract boundary lines, right-of-way lines of streets and easements, and property lines of residential lots and other sites. Sufficient data shall be shown, including accurate dimensions, bearings, deflection angles and radii, arcs, and central angles of all curves to determine readily and reproduce on the ground any line on the map.

202.01-03 Date of survey and preparation of plat.

202.01-04 Vicinity map with same orientation to north as the subdivision.

202.01-05 Name and width of each street or other right-of-way.

202.01-06 Location, dimension and purpose of any easements.

202.01-07 Number to identify each lot or site.

202.01-08 Purpose for which sites, other than residential lots, are dedicated or reserved, and any areas subject to flooding by a one hundred (100) year frequency flood shall be clearly identified and delineated.

202.01-09 Minimum building setback line on all lots and other sites.

202.01-10 Location and description of boundary monuments.

202.01-11 Title, numeric and graphic scale, north arrow (true north) and date.

202.01-12 Any proposed protective covenants in form for recording.

202.01-13 A metes and bounds description of the subdivision boundary.

202.01-14 Engineer's of Surveyor's Certificate (or equivalent statement): It is hereby certified that this plat is true and correct and was prepared form an actual survey of the property made by me or under my supervision.

_____ Engineer or Surveyor

_____ Certificate No.

_____ Date

202.01-15 Owner's Certificate (or equivalent statement): The undersigned owner(s) of the property shown hereon hereby adopts this plat as in (our) plan of subdivision and dedicate the street and street rights-of way and easements as shown to public use forever.

Owner(s) _____

Date _____

202.01-16 County Engineer's Recommendation: (or equivalent statement): I have examined this plat and find that it conforms to all conditions set forth on the preliminary plat as approved by the Board of Supervisors and thus recommend final approval.

_____ County Engineer

202.01-17 County Approval Certificate: I hereby certify that this is a true copy and that this plat was approved by the Board of Supervisors in session on the _____ day of _____, 20____.

_____ President, Board of Supervisors
Madison County, Mississippi

ATTEST:

_____ Chancery Clerk
Madison County, Mississippi

202.01-18 Certificate of Comparison: This is to certify that I, Author Johnston, Chancery Clerk, in and for the County and State, and I, _____, a Mississippi Registered Professional Engineer and Land Surveyor as maker of the map of _____, have compared this the _____, with the _____, and the _____ and find the same exact copies of each other.

Signed: _____ Chancery Clerk

Signed: _____ Professional Land Surveyor

202.02 One (1) original and three (3) copies of the final plat shall be prepared and submitted to the Board of Supervisors and the County Engineer within one (1) year after approval of the preliminary plat. If the subdivider has not filed within the one (1) year, he must resubmit his final plat for a re-review as per Section 202.

202.03 It shall be the duty of the County Engineer to examine the final plat to be certain that it conforms to existing streets, drainage, and utility systems and that all conditions set forth on the preliminary plat have been satisfied.

202.04 The final plat shall not be approved by the Board of Supervisors until the subdivider has done one (1) of the following:

202.04-01 Actually completed construction of all improvements as required in Article III and as approved on the preliminary plat with the exception of final surface course asphalt; or

202.04-02 Given to the Board of Supervisors a performance bond or certified check, or established an escrow account in an amount equal to the total estimated cost of installation of the required improvements. An automatic renewal clause must also be included in the language of the bond or letter of credit.

Pursuant to Section 17-1-23 (2) of the Mississippi Code Annotated, the Board of Supervisors of any county in Mississippi may allow the developer of a subdivision the opportunity to file a subdivision plat of record prior to completion of the construction of necessary infrastructure therein, subject to the provision of appropriate security to insure final construction. In order to make this procedure available in Madison County in an orderly and equitable manner, the Board hereby establishes the requirements and conditions necessary for a developer to utilize the procedure.

1. This procedure will be available only within the geographical boundaries of a Planned Unit Development previously authorized by the Board of Supervisors.

2. The Board retains absolute discretion to authorize or not authorize the procedure. Matters pertinent to this decision include, among others, prior activity of the developer, the size and nature of the development, objections or support from the public, and input from the county Zoning Administrator.

3. The infrastructure as relates to roadway, drainage, water and sewer improvements in accordance with the approved construction plans must be substantially complete prior to the issuance of any building permits.

4. The developer must commit in writing to the completion of the remaining infrastructure within 6 months of the approval of the plat.

5. The developer shall post a performance bond or letter of credit in the amount of 200% of the cost of completion of the remaining infrastructure, the County Engineer will verify in writing an estimate provided by the developer of the completion costs, which estimate shall be based on the Mississippi Department of Transportation's running 6 month's average for the unit costs of construction. The form of the bond or letter of credit shall be approved by the Board's attorney, and once an initial form has been approved, it will be the required form for future requests. Said performance bond, letter of credit, or other improvement security must be filed with the Clerk of the Board of Supervisors.

6. In connection with sales of lots, the developer shall include in its purchase and sale agreement and conveyance document a statement that the remaining infrastructure will be completed in accordance with this regulation, and the initial form utilized by the developer shall be submitted to the Board's attorney, and thereafter the approved statement shall be used in future requests.

202.05 Subject to the County Engineer's report that the roads and streets are in satisfactory condition and were constructed in conformity with the standards set forth in these regulations, the Board of Supervisors will adopt and order at the next regularly scheduled meeting formally accepting said roads and streets. As a prerequisite to acceptance, the subdivision owner or his agent shall first file a Maintenance Bond in an amount equal to the cost of the construction with the Madison County Board of Supervisors. Said bond shall be executed by a responsible surety company qualified and licensed to do business in Mississippi and shall guarantee the maintenance of the work for a period of one (1) year after the date of acceptance by the Madison County Board of Supervisors. The owner of the subdivision and the surety company furnishing the maintenance bond shall obligate themselves to pay the costs of any repairs, replacements, or reconstruction of any or all portions of the work which may be damaged by traffic, inadequate drainage, or which may be reasonably attributed to faulty construction or use of inferior materials.

202.06 Upon approval of the final plat by the Board of Supervisors, an endorsement shall be made thereon by the President of the Board and attested by the Chancery Clerk indicating approval together with the date of the order of the Board. The original copy of the final plat shall be filed and kept in the vault at the Chancery Clerk's office; one (1) exact duplicate of the final plat shall be filed and kept in the appropriate plat cabinet and slot in the Chancery Clerk's office; the developer/subdivider shall pick up one (1) copy of executed plat at Chancery Clerk's office; one (1) executed copy shall be transmitted to the Planning and Zoning Administration; and one (1) executed copy shall be transmitted to the E-911 Office.

The Final Plat shall be recorded in the manner required by law upon the payment of the necessary filing fees to the Chancery Clerk.

202.07 It shall be understood that the Board's acceptance of the completed roads and streets in any subdivision or access roads includes only the normal construction items usually required for county roads such as grading work, drainage ditches, bridges, culverts, drainage structures, storm sewers, base courses, curbs and gutters, pavements, grassing, erosion control, and other necessary work within the limits of the dedicated rights-of-way. The Board assumes no responsibility for the maintenance of sanitary sewers, water main, gas mains, electric conduits or other privately and publicly owned utilities installed under roads and streets nor maintenance of easements beyond road rights-of-way. The owners or operators of said utilities shall be responsible for the maintenance and shall bear the expense of restoring and repairing all damages to public property caused by leaks or failure of such installations.

202.08 The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods may occur on rare occasions or flood heights may be increased by man-made or natural causes, such as bridge openings restricted by debris. This ordinance does not imply that areas outside flood plain areas of land uses permitted within such districts will be free from flooding or flood damages. This ordinance shall not create liability on the part of Madison County Board of Supervisors or any officer or employee thereof for any flood damages that result form reliance on this ordinance or any administrative decision lawfully made thereunder. In no case shall responsibility of liability arise from the design or operation of subdivision drainage facilities.

202.09 The Final Plats must be accompanied by one complete set of as-builts and an electronic file must be on file with the Madison County G.I.S. department conforming to the County database (reference the NVGD '88 control datum).

202.10 An exception may be granted for the filing of Commercial Subdivisions and property to be sold under metes-and-bounds description provided that the following conditions be met:

202.10-01 A Preliminary Plat and Construction Plans are approved for the required infrastructure improvements, under Section 201 of this ordinance.

202.10-02 A centralized detention/retention facility is constructed to handle the highest possible density requirements based on the current zoning of said property. All common areas are to be maintained by the developer until such time as Madison County Board of Supervisors accepts development that contains said common and detention/retention areas in accordance with the final plat filing procedure; at that time the applicable homeowner's association will assume responsibility for maintenance.

In the event detention/retention areas will be shared or utilized for subsequent phases of development, detention/retention areas shall remain responsibility of developer until such time that final phase of development that impacts said detention/retention facility is accepted and filed with the Madison County Board of Supervisors; at that time the applicable homeowner's association will assume responsibility for maintenance.

202.10-03 Any and all drainage easements necessary for the conveyance of storm water will be recorded and platted and will be maintained by the property owner/developer who purchases/retains said property.

202.10-04 A Plat indicating the ROW dedicated to Madison County must be on file prior to the subdividing of any parcel by metes-and-bounds description.

203 EXCEPTIONS TO FILING PLATS

203.01 When a parcel of land is subdivided into no more than (2) parcels in any continuous twelve (12) month period and no new street is involved, the subdivider shall be exempt from the requirement to file a plat, provided, however, that no building permit shall be issued until either proof can be shown of the ability to connect to an existing sanitary sewer collection system, or submit an approved septic tank permit for the Madison County Health Department to the Building Inspector.

203.02 Any attempt by the subdivider to divide any part of the original parcel into additional parcels within a twelve month period subsequent to this date of the first subdivision, will require that Sections 200-202 of this Resolution will adhered to for the entire parcel.

ARTICLE III

REQUIRED IMPROVEMENTS AND DESIGN STANDARD

300 IMPROVEMENTS IN SUBDIVISIONS

300.01 In consideration of the acceptance by the county and assumption of the responsibility for the maintenance of the dedicated streets constructed therein, the owner or owners of the subdivision shall cause to be constructed, at no expense to the County, the following improvements according to the specifications set forth hereinafter.

300.02 All services for utilities shall be made available for each lot in such a manner as will eliminate disturbing the street pavement and drainage structures when connections are made.

300.03 Upon completion of construction on any such utilities or improvements, one set of complete as-built plans, dated, signed, and certified by the engineer in charge, shall be filed with the County Engineer showing all features as actually installed, including materials, size, location, depth or elevation, numbers, ends of lines, connections, wyes, valves, storm sewer drains, inlets, and all other pertinent information. There shall be no connections made to such utilities serving the subdivision until the foregoing has been completed with and an operating permit obtained from the Mississippi Air and Water Pollution Control Commission and a letter of acceptance secured from the Mississippi State Board of Health.

301 STREETS

301.01 The County Engineer shall review the street system for the proposed subdivision and shall classify all proposed streets in one of the following categories.

301.01-01 Collector: Streets that carry traffic from local streets to arterial streets or highways, including the principle entrance streets of the subdivision.

301.01-02 Local: Streets that are used primarily for access to abutting properties.

301.02 Street right-of-way widths shall be as follows:

Type of Street	Minimum Right-of-Way Width
Collector	60 feet
Local	
Open ditch	60 feet
Curb and gutter	50 feet
Private	60 feet

301.02-01 Typical section of streets and road with surface ditches:

	Collector Roads	Local Roads	Private Roads
Minimum width of roadway out-to-out of shoulders	34 feet	28 feet	N/A
Foreslopes and Back slopes from edge to shoulder to ditch flow line, not steeper than	3:1 slope	3:1 slope	N/A
Back slope from ditch flow line to top of cut, shall be	3:1 slope	3:1 slope	N/A
4. Minimum depth of ditch from edge of shoulder to flow line	1 ft 6in	1ft 6in	N/A
5. Minimum width of shoulders	6 feet	6 feet	N/A
6. Minimum slope of shoulder to ditch	½ inch	½ inch	N/A
7. Minimum gradient, flow line of open ditch	0.4%	0.4%	N/A
8. Maximum gradient of roadway profile	6%	6%	N/A
9. Minimum width of base course	26 feet	22 feet	16 feet
10. Minimum width of pavement	24 feet	20 feet	N/A
11. Minimum radii of pavement at intersections	30 feet	20 feet	N/A
12. Minimum radii of outside pavement edge at dead end turn-around circle		35 feet	N/A

301.02-02 Typical Section of Streets with Curbs and Gutters

1. Minimum width of streets - back to back of curbs

(a) Local or Dead-End Streets	27 feet
(b) Collector Streets	33 feet
(c) Boulevards	20 feet each lane
(d) Major Thoroughfares	48 feet

2. Minimum gradient of street profile 0.4%

3. Minimum curb and gutter gradient	0.4%
4. Minimum radii of curbs and gutter at intersections	20 feet
5. Minimum width of shoulders behind curb	4 feet
6. Minimum slope of shoulders to curb	½ inch per foot
7. Minimum of radii of turnaround dead-end street	35 feet

301.03 The design and typical section of roads and streets shall conform to the geometric standards contained in Article III, 301.02

301.03-01 Design specifications for sub-base, base, and wearing course for streets and roads shall be determined by soil types. A soil profiles shall be preformed to provide the necessary information required for the project engineer to produce a design adequate for the anticipated load limits and traffic, but in no case shall be less than the following:

a. Five (5) inches of hot plant ix base (black base) and
b. One and one half (1 ½) inches of hot mix asphaltic concrete pavement.

301.03-02 Approved private roads shall have a minimum of 4 inches compacted granular material, class 5, group C, or better.

301.04 The specifications governing all materials construction methods for road and street work in subdivisions shall conform to the applicable provisions of the Standard Specifications for State Aid Road and Bridge Construction, Mississippi State Highway Department. Compaction of subgrade shall be ninety-five percent (95%) of maximum theoretical densities. Compaction of base course shall be at least one hundred percent (100%) of maximum theoretical densities for clay gravel and 97% for black base.

301.05 The County Engineer may, at his discretion, require that the owner or developer of the Subdivision submit test reports covering the materials incorporated in the work. Any laboratory tests required to establish the specified quality of material used, or densities of base course construction, shall be performed by a reputable commercial testing laboratory, at the subdivider's expense.

301.06 All subdivisions utilizing private roads shall have a storm water analysis prepared and submitted to the County engineer verifying all drainage structures are sized to provide adequate drainage.

301.07 Subdivisions developed with private streets built to standards less than public streets shall be limited to twelve (12) lots or less, with minimum lot size being five (5) acres.

301.08 Subdivision utilizing private streets built to standards less than public streets shall file covenants prohibiting subdividing lots, regardless of size, that would cause the number of lots to exceed twelve (12). Covenants shall be subject to review and approval of the Board of Supervisors.

301.09 No trees or shrubs will be permitted to be planted at street intersections; however, controlled planting of shrubs and trees on public property, provided that plantings do not interfere with proper drainage and maintenance or obstruct vision required for public safety, may be permitted.

301.10 Street jogs with centerline offsets of less than one hundred twenty-five (125) feet shall be avoided.

301.11 Horizontal curves minimum radius of curvature permitted shall depend upon design speed and corresponding friction coefficients, but shall not be less than a four hundred (400) foot radius on collector streets and a two hundred (200) foot radius on local streets, computed from the center line.

301.12 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 seventy-five (75) degrees. Street gradients within one hundred (100) feet of intersections shall be designed on as flat as grade as possible and shall not exceed 4% and every effort to keep the gradient below 2%.

301.13 Turning lanes shall be provided on streets that intersect major thoroughfares or as determined by the County Engineer.

301.14 Half-streets shall be prohibited, except in such cases where there exists a half-street continuous thereto. Wherever a half-street is adjacent to a tract to be subdivided, the other half of the street shall be platted within such tract.

301.15 Permanent dead-end streets shall not be longer than five hundred (500) feet and shall be provided at the closed end with a turn-around having a paved surface diameter of at least seventy (70) feet and a street property line diameter of at least one hundred (100) feet when curb and gutter is installed and one hundred and ten (110) feet when open ditches are used. Paved surface diameter will be dependant on design traffic vehicle turning radius and may be at the County Engineer's discretion.

301.16 No street names shall be used which will duplicate or be confused with the names of existing streets. Street names shall be subject to the approval of the Board of Supervisors. Street name sign, regulatory, and warning signs shall be provided by the developer, installed to the satisfaction of the County, and be consistent with the latest edition of the Manual of Uniform Traffic Control Devices (MUTCD) before the final plat is approved.

302. MONUMENTS

302.01 Monuments shall be placed at all corners of the subdivision and at all block corners. These monuments shall consist of a four (4) inch by four (4) inch concrete post not less than thirty (30) inches in length and reinforced with a single one-half (1/2) inch in diameter and not less than twenty-four (24) inches in length.

302.02 Markers shall be placed at all corners in alignment in lot boundaries and in changes in alignment along the boundary of the subdivision and angle points or curves in street right-of-way boundary lines. The markers shall consist of a reinforcing rod of not less than one-half (1/2) inch in diameter and not less than twenty-four (24) inches in length.

302.03 All monuments or markers shall be set with the top thereof flush with the finished grade. Where necessary to prevent disturbance, the monument shall be sunk underground and referenced to permanent landmarks.

303. EASEMENTS

303.01 Easements across lots or centered on front, rear, or side lot lines shall be provided for utilities where necessary.

303.02 Where easements intersect or sharp changes in alignment are necessary, corners shall be cut off sufficiently to permit equipment access as determined by the County Engineer.

303.03 No fences, buildings, or paving, will be permitted in easements unless used for the purposes of drainage and approved by the County Engineer.

303.04 Any overhanging limbs, shrubbery, or vegetation of any kind may be removed from within the limits of easements at the sole discretion of the maintenance personnel of the utilities installed or to be installed in or above the easements.

303.05 Utility and Drainage 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 at ground level or as required by the County Engineer. Utility easements shall be provided parallel to the roadway in residential, commercial, and industrial areas at least 10 feet in width measured outside and adjacent to the street right-of-way for the purpose of accommodating utilities, electrical, cable television, telephone and gas utilities.

303.06 Where a Subdivision or property is traversed by a water course, drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such water course or an accepted canal or drainage course, and such further width or construction, or both, as will be necessary for equipment access.

304. BLOCKS

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

304.01-01 Building sites that are suitable for the special needs of the uses of contemplated.

304.01-02 Convenient access, circulation, control, and safety of street traffic.

304.01-03 Limitation and opportunities of topography.

304.02 As a usual practice, block lengths shall not exceed eighteen hundred (1,800) feet or be less than four hundred (400) feet.

305. ALLEYS

305.01 Alleys shall be provided in commercial or industrial subdivisions, except that the County Engineer, following consultation with the Planning Commission, may recommend waiver of this requirement where other definite and assured provisions are made for service access, such as off-street loading and parking consistent with and adequate for the uses proposed.

305.02 The right-of-way width of an alley in commercial and industrial areas shall be a minimum of twenty-five (25) feet.

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

305.04 Dead-end alleys shall be avoided where possible, but if unavoidable, shall be provided with a turnaround having an outside roadway diameter of at least eight (80) feet and a right-of-way diameter of at least one hundred (100) feet. The County Engineer and the Planning Commission may recommend to the Board of Supervisors a larger turnaround when it is determined necessary to provide adequate turnaround space.

305.05 Alleys will not be permitted in residential areas.

306. LOTS

306.01 All subdivisions shall be surveyed and laid out in such a manner that each and every lot intended for sale shall abut a dedicated public street or road or approved private street or common way.

307. FLOODPLAIN AREAS

307.01 Land subject to flooding with a frequency of one hundred (100) year flood shall not be subdivided unless precautionary measures are taken to eliminate or minimize flood hazards. All building grades shall be raised to an elevation equal to one(1) foot above the maximum flood elevation or a one hundred (100) year flood calculated for the area in which the proposed subdivision is situated. All building and development must also comply with the most current version of the *Madison County Flood Damage Prevention Ordinance.*

This is provided, however, that no fill shall be made, or any subdivision constructed, which will increase flood hazards to other lands, or in any manner impede or restrict the flow of water in flood situation. All areas which will remain subject to flooding after the subdivision is constructed shall be delineated on the final plat.

307.02 All road grades shall be brought to a minimum of one foot above the maximum flood elevation or a one hundred (100) year flood calculated for the area when approved by the County Engineer and provided that all required permits have been approved.

307.03 All utilities and facilities, such as water, sewer, gas, and electrical systems, shall be located, elevated, and constructed to eliminate or minimize flood damage; and adequate drainage shall be provided so as to reduce exposure to flood hazards.

308. WATER SYSTEM

308.01 The water system shall have a sufficient number of flushing hydrants of sufficient size to properly flush the system when needed.

308.02 The water system shall be designed so that the calculated pressure within the system, at maximum use flows, shall not be less than twenty (20) pounds per square inch at any curb stop.

308.03 Individual water wells may be used only if written approval is obtained from the Madison County Health Department and then only if all lots are three (3) acres or more.

308.04 In the event the proposed subdivision is near or adjacent to an existing municipal water system, every effort shall be made by the subdivider to connect the water system of the proposed subdivision with that of the municipality. If the proposed subdivision abuts any municipality or if the subdivision is to be connected to a municipal system, the water system within the subdivision shall conform to the specifications required by that municipality as if the subdivision were within the corporate limits of such municipality. In any event, the water system constructed within the subdivision shall meet the minimum requirements of these regulations.

308.05 In the event that the proposed subdivision is located within or abuts an existing water district or association, the water system within the subdivision should be connected to such water district or association, and should conform to the specification of such water district or

association. The water system constructed within the subdivision shall meet the minimum requirements of these regulations or the water district specifications, whichever is the most restrictive.

308.06 Where possible, water mains shall be located five (5) feet inside the street right-of-way or as approved by the County Engineer.

308.07 In subdivisions with a water system designed for fire protection, the materials for the water mains shall conform to the following requirements.

308.07-01 Plastic pipe: All plastic pipe shall conform to the latest commercial standards published by the U.S. Department of Commerce and carry the seal of acceptance of the National Sanitation Foundation for use in domestic water systems. The wall thickness of the pipe specified shall be governed by ASTM-D2241 for standard dimensions ratios (SDR) and the SDR shall not be greater than twenty-six (26). Operating pressures of all plastic pipe shall not exceed two-thirds (2/3) of the rated working pressure pipe used. All plastic pipe of two (2) inches and larger shall be a slipjoint rubber gasket type.

308.08 In subdivisions with water systems not designed for fire protection, the material for the water mains shall conform to the following requirement.

308.08-01 Plastic pipe: All plastic pipe shall conform to the latest commercial standards published by the U.S. Department of Commerce and carry the seal of acceptance of the National Sanitation Foundation for use in domestic water systems. The wall thickness of the pipe specified shall be governed by ASTM-D2241 for standard dimensions ratios (SDR) and the SDR shall not be greater than twenty-six (26). Operating pressures of all plastic pipe shall not exceed two-thirds (2/3) of the rated working pressure pipe used. All plastic pipe of two (2) inches and larger shall be a slipjoint rubber gasket type.

308.09 Services in subdivisions receiving water supply from existing municipalities or utility districts shall be in accordance with municipal or utility specifications. In the event that the municipal or utility district specifications are less than those specified in this regulation, the requirements of this regulation shall apply.

308.10 Services in subdivisions not covered by Section 308.09 above shall consist of the following: A corporation stop shall be provided at the main with three-fourth (3/4) inch flexible copper tubing or a high-molecular-weight plastic tubing shall run from the main to the lot line and terminate with a compatible curb stop.

308.11 All dead-end mains shall be equipped with an approval outlet sufficient to periodically flush the main.

308.12 All fire hydrants shall be of the same type as installed in the existing municipality or utility district or as approved by the County Engineer.

308.13 Fire hydrants shall be installed on water mains only, shall be AWWA approved type with 5 ½ inch opening installed at the extremity of a six (6) inch minimum diameter pipe and shall be so located such that no lot will be in excess of 400 feet from a fire hydrant with the measurement being made along the streets. Both valves and hydrant shall be installed with ductile iron anchor couplings to the main. Fire hydrants in commercial districts shall not exceed 300 feet spacing

308.14 All water systems must be approved by the Madison County Fire Coordinator and approval letter must be on file prior to approval of Final Plat.

308.15 Hydrostatic test(s) shall be performed on the new water system with a pressure of one hundred fifty (150) pounds per square inch for twenty-four (24) hours. Before any or all of the work is placed in service, the system shall be disinfected and re-disinfected as necessary until chlorine-free samples are found to meet Mississippi State Board of Health standards as to bacteriological quality. Samples for the tests shall be taken from remote parts of the system.

308.16 Any water line to be installed by trench installation under proposed location of road, shall have density test performed on each lift (8" max lift thickness) of backfill meeting compaction requirements of ninety-five percent (95%) of maximum theoretical densities. Density test shall be performed a minimum of three (3) locations where pipe crosses roadway.(Centerline, right edge, and left edge of pavement)

309. SANITARY SEWERS

309.01 Community sewage collection and treatment facilities shall be provided in all subdivisions and shall conform to all applicable state and local laws pertaining to sewage collection and treatment. Individual septic tanks may be used in small subdivisions only if written approval for the construction of residential sewage disposal systems (septic tanks) in a subdivision, the subdivider shall submit with the preliminary plat a letter from the Mississippi State Board of Health, Division of Sanitary Engineering, that other acceptable means of collection, treatment, and disposal of sanitary sewage are not economically feasible.

309.02 In the event the proposed subdivision is near or adjacent to an existing sewer system every effort shall be made by the subdivider to connect the sewer system of the proposed subdivision with that of the existing system. If the proposed subdivision abuts any municipality or utility district or if the subdivision is to be connected to a municipal or other existing system, the sewer system within the subdivision shall conform to the specifications required by that existing system or municipality as if the subdivision were constructed within the subdivision shall at least meet the minimum requirements of these regulations.

309.03 All gravity flow sewer pipe shall be vitrified clay, concrete, plastic, or other approved types. All sewer pipe twenty four (24) inches nominal diameter and smaller installed with trench depth up to and including ten (10) feet shall be standard strength; for trench depth greater than ten (10) feet, extra strength pipe shall be used.

309.04 The minimum diameter pipe for sanitary sewers shall be eight (8) inches. The minimum diameter house connection and service pipe shall be four (4) inches for single-family dwellings and six (6) inches for multifamily dwellings. House connections shall be stubbed out to each lot property line before street construction and plugged with extended sewer stub marker tape form pipe to the surface.

309.05 Sanitary sewer design criteria shall be in accordance with that required by the Mississippi Air and Water Pollution Control Commission.

309.06 All joints shall be either rubber gasket, bituminous plastic cement, pre-formed plastic joint, or factory cast plastic seal, whichever conforms to the type of pipe being used.

309.07 Where possible, sewer main shall be located five (5) feet inside the street right-of-way or as approved by the County Engineer. Manholes shall be no more than four hundred (400) feet apart, and shall be placed at each change in alignment or grade, and shall be provided with traffic-grade cast iron lids and frames.

309.08 Infiltration and exfiltration on any section of line shall not exceed three hundred (300) gallons per inch of pipe diameter per mile per day for any section of the system.

309.09 In the event that the sanitary sewer system lies with an area subjected to 100 year flooding, the top manhole elevation shall be a minimum of one (1) foot above Base Flood Elevation (BFE).

308.16 Any sewer line to be installed by trench installation under proposed location of road, shall have density test performed on each lift (8" max lift thickness) of backfill meeting compaction requirements of ninety-five percent (95%) of maximum theoretical densities. Density test shall be performed a minimum of three (3) locations where pipe crosses roadway.(Centerline, right edge, and left edge of pavement)

310. STORM DRAINAGE

310.01 Materials and construction shall conform to Mississippi Standard Specification for State Aid Road and Bridge Construction.

310.02 Drainage structures shall be sized using the rational formula and calculated by a licensed engineer of the State of Mississippi. However, the minimum allowable design shall be a twenty five (25) year storm frequency or other design as approved by the County Engineer. All major streams, channels, open ditches, or drains be designed to accommodate the 50-year frequency, 24 hour duration storm. The County reserves the right to prohibit the filing of low-lying areas and to zone such areas for uses that would not be damaged by short duration flooding.

310.03 Reinforced concrete headwalls or precast flared end sections shall be provided on eighteen (18) inch pipe and larger. The minimum diameter for storm drain pipe shall be eighteen (18) inches. When used as a meter for storm drain pipe shall be eighteen (18) inches. When used as a culvert, the length shall be such that the ends project as least four (4) feet beyond the edge of

the pavement. The minimum diameter for storm drain pipe shall be fifteen (15) inches when used for driveways. All corrugated metal culverts shall have a minimum wall thickness of fourteen (14) gage metal with an asphalt coating. Concrete culverts shall be a minimum of Class II reinforced concrete. All cross-drains shall have a minimum of twelve (12) inches of separation distance from the top to the pipe to the asphalt pavement section.

310.04 All driveway culverts in platted open ditch subdivisions shall be sized by a registered professional engineer and all hydraulic calculation submitted for review along with a pipe culvert schedule. The developer/builder will be responsible for installation of each driveway culvert according to approved pipe culvert schedule. A minimum pipe length of twenty (20) feet shall be required.

Any lot or portion thereof in platted open ditch subdivision shall not be allowed to install drainage structures which reduce capacity, restrict the flow, or change the geometry of a subdivision designed with an open ditch section.

310.05 Adequate protection of invert slopes shall be provided to prevent erosion.

310.06 Inlets which are brick formed will be allowed, however no mortar will be allowed to be applied to either the exterior or the interior of said inlets until a official representative from the Madison County Board of Supervisors or the County Engineer have officially inspect the workmanship of the inlet. At such time as the inlet has been inspected then the mortar screed shall be applied to both the interior and exterior of the inlet and backfilled in accordance with the Mississippi Standard Specifications for State Aid Road and Bridge Construction.

310.07 The hydraulic capacity of curb opening and gutter grate inlets shall be determined by generally accepted engineering principles taking into consideration inlet geometry and characteristics of the gutter flow. Inlets shall be spaced so as to limit the spread of water to not more than one-half of the width of one travel lane during a design storm of five (5) year return period and 30 minute duration. Inlets shall also be placed at all low points in the gutter grade, at intersections where necessary, but not located in radii, to prevent gutter flow from crossing traffic lanes of any intersecting street, or at points of special concern as designated by the County Engineer. Inlets shall be provided so that surface water shall not be carried across or around any intersection for a distance of more than 400 feet in the gutter. When calculations indicate that curb capacities are exceeded at a point, no further allowance shall be made for flow beyond that point, and basins shall be used to intercept flow at that point.

311. GENERAL GRADING

311.01 Grading and centerline gradients shall be in accordance with plans and profiles approved by the County Engineer.

311.02 Areas to be graded by cutting or filling shall be rough graded to within two-tenths (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.

311.03 Final cross sections and profiles of streets and other installation shall conform to grades approved by the County Engineer. Elevations shall be based on mean sea level.

All timber, logs, trees, brush, vegetable matter, and other rubbish shall be removed or otherwise disposed of in accordance with the rules and regulations of Mississippi Air and Water Pollution Control Commission so as to leave areas that have been disturbed with a neat and finished appearance.

311.04 All Green Space and other areas to be dedicated to the public or homeowners for use must be left in a manageable/maintainable condition so no existing adverse area is transferred by owner/developer once Final Plat is filed.

311.05 Madison County will hold annual inspections on all Green Space and other areas dedicated to the public or homeowners association for use and/or maintenance. These annual inspection reports will be furnished to the responsible homeowners association and any notice of required action included therewith.

ARTICLE IV

ENGINEER'S STATEMENT

400. The above maps and calculations shall be accompanied by a transmittal letter which contains the following statement:

"I hereby state that the reports, calculations, and plans for the storm water management design of Name of Development was prepared under my direct supervision and the best of my knowledge and belief they are in accordance with the provisions of the Madison County Storm Water Discharge Management ."

Registered Professional Engineer
State of Mississippi
Registration NO.

ARTICLE V

MISCELLANEOUS

500. FEES

500.01 At the time of filing an application for preliminary plat approval, and at the time of filing an application for final plat approval, the subdivider shall pay to the Madison County Board of Supervisors a filing fee of twenty-five (25) dollars plus fifty-cents (.50) per lot for subdivisions containing five (5) lots or less shall be ten dollars (10) per lot. For subdivisions with lots larger than one (1) acre, the additional fee shall be one (1) dollar per acres for the entire subdivision. No action of the Planning Commission or Board of Supervisors shall be valid until the fee has been paid to the Chancery Clerk. This fee shall be charged on all plats, regardless of whether the plat is approved or disapproved.

500.02 Subdivision Review Fees are included in the following table and check should be made payable to the Madison County Board of Supervisors for the invoice received from the County Engineer in the amount applicable:

Master Plan Review	$ 250.00
Final Plat Layout	
1 thru 10 lots	$ 50.00
11 thru 25 lots	$ 100.00
26 thru 50 lots	$ 150.00
51 lots and above	$ 200.00
Construction Drawings, per sheet	$ 50.00
Plat Review (Preliminary & Final)	$ 50.00

500.03 The fees set forth in the Article shall be and are in addition to those filing fees required to be assessed by the Chancery Clerk under Mississippi Code Annotated § 25-7-9 and any other provision of state law.

501. VARIANCES

501.01 Where the Board of Supervisors finds the extraordinary hardships may result form strict compliance with these regulations, it may vary the regulations so that substantial justice may be done and the public interest secured, provided that such variance will not have the effect of nullifying the intent and purpose of these regulations.

In granting variances the Board of Supervisors may require such conditions that are necessary, in its judgment, to secure substantially the objectives of the standards or requirements so varied or modified

502. PENALTIES

502.01 Any person, firm, entity or corporation using an unapproved and unrecorded plat in the sale of subdivided land whether by plat or metes and bounds or violating any of the terms or provisions of these subdivision regulations shall be guilty of a misdemeanor, and upon conviction, may be punished by a fine of not more than one hundred (100) dollars. Each violation and each day of failure to comply with the provisions of these regulations shall constitute a separate violation.

503. AMENDMENTS

503.01 The Board of Supervisors may from time to time adopt amendments that will tend to increase the effectiveness of these subdivision regulations. The subdivision regulations may be revised or amended by the Board of Supervisors as required by law.

504. VALIDITY

504.01 If for any reason any section, paragraph, subdivision, clause, phrase, or provision of this regulation shall be held invalid, it shall not affect the remaining provisions of this, or any regulation of the county, to which these rules and regulations relate.

505. REPEALER

505.01 All regulations or parts of regulations in conflict with this regulation, or inconsistent with the provisions of the regulation, are hereby repealed to the extent necessary to give this regulation full force and effect.

506. EFFECTIVE DATE

506.01 This order shall become effective on the 1st day of November, 2010.

President, Board of Supervisors
Madison County, Mississippi

ATTEST:

Chancery Clerk
Madison County, Mississippi

CHANCERY CLERK
MADISON COUNTY, MISSISSIPPI