

**CHAPTER V.
IMPROVEMENTS AND IMPROVEMENTS STANDARDS**

5.1 IMPROVEMENTS SHALL MEET ESTABLISHED STANDARDS:

All improvements shall be designed and installed in accordance with the Coweta Design Criteria and Technical Specification established by the City Engineer and approved by the City Council. The City Engineer may establish special standards in excess of the Design Criteria and Technical Specifications which are generally applicable to safety accommodate the heavy commercial and industrial use of streets, utilities, water, sewer and other public improvements.

5.2 IMPROVEMENTS REQUIRED:

5.2.1 Street Improvements:

The subdivider shall design, grade, inspect, test and otherwise improve all streets that are designated on the approved plat or that directly serve the subdivision in accordance with the Design Criteria and Technical Specifications as directed by the City Engineer.

5.2.2 Street Signs and Names:

The subdivider shall install street name signs in the subdivision to the specification of the City Engineer. Street names shall be approved by the Planning Commission and City Council.

5.2.3 Street Lights:

The subdivider shall provide adequate street lighting in the subdivision to the specifications of the City Engineer and Technical Advisory Committee.

5.2.4 Monuments and Markers:

A. Permanent reference markers shall be placed at the intersection of the centerlines of rights-of-way. There shall be in each subdivision a minimum of two such monuments. If no two of the intersection monuments are within line-of-sight of each other, an additional marker shall be placed on a right-of-way centerline so as to establish a straight line which can be seen line-of-sight from one end to the other. An additional such marker shall be placed at the center point of the turn-around in each cul-de-sac. These markers shall be in the form of a non-corrosive metal plate and each shall be stamped with a cross at the point of the intersection and the elevation to the tenth of a foot.

B. Permanent reference markers shall be placed at each turning point in the boundary of the subdivision. Markers shall be a twenty-four (24) inch long iron pipe or bar of at least one-half (1/2) inch diameter, to be set in concrete.

C. Permanent reference markers shall be placed at a minimum of two corners of each lot in an addition. The markers shall be at least twenty-four (24) inches long and at least one half (1/2) inch in diameter made of iron pipe or bar and driven into unexcavated soil.

- D. Permanent reference markers shall be placed at the points of curvature and points of tangency of all inside and outside right-of-way lines, and at the point of intersection of the outside line of a curve in street right-of-way. These markers shall be a twenty-four (24) inch diameter to be driven into unexcavated soil.
- E. The location of all permanent markers shall be shown on the face of the final plat.

5.2.5 Stormwater Drainage and Detention Facilities:

The subdivider shall provide a stormwater drainage system that is designed and constructed in accordance with the design criteria and technical specifications.

5.2.6 Utilities:

Electric cable, television cable and telephone lines shall be installed as specified by the Technical Advisory Committee in the easements specified on the subdivision plat.

5.3 PLANS REQUIRED:

Five (5) sets of prints of the proposed plans and specifications for all improvements required by these regulations with the City Engineer. The City Engineer shall approve or require modification of those construction plans. Following the approval of the construction plans, the subdivider shall complete in a manner satisfactory with the Engineer all required improvements and said improvements shall be free and clear of all liens, claims and encumbrances. The final plat may then be released by the City for filing at the office of the County Clerk.

In lieu of the installation of the required improvements prior to the final plat approval, street paving, public water and sewer utility improvements will not commence until Performance Bonds are received and on file at the City of Coweta, Construction Plans are received and approved by the City Engineer, and Oklahoma Department of Environmental Quality (ODEQ) approval is received and recognized by the Coweta City Council. The subdivider shall guarantee to complete all improvements required by these regulations and other ordinances in a manner satisfactory to the City Engineer. To secure this surety, the subdivider shall provide one of the following guarantees:

5.4 CONTRACTOR'S BOND AND INSURANCE:

The subdivider shall guarantee to complete all improvements required by these regulations and other ordinances in a manner satisfactory to the City Engineer. To secure this surety, the subdivider shall provide one of the following guarantees:

5.4.1 Commercial Surety Performance and Payment Bond:

The subdivider shall obtain a security bond from a surety bonding company authorized to do business in the State of Oklahoma. The bond shall be filed with the City Clerk and shall be payable to the City of Coweta. The amount of the bond shall be at 100% of the entire cost of the work, as estimated by the subdivider and approved by the City Engineer, of installing all specified

improvements. The duration of the bond shall be until such time as the improvements are accepted by the City in accordance with Section 5.2

5.4.2 Cash Escrow Account:

The subdivider shall deposit cash, or other instrument readily convertible into cash at face value, either with the City of Coweta or in escrow with a bank. The use of any instrument other than cash, and, in the case of an escrow account, the bank with which the funds are to be deposited, shall be subject to the approval of the City Council. The amount of the deposit shall be at 100% of the entire cost of the work, as estimated by the subdivider and approved by the City Engineer, of installing all required improvements. If a bank escrow account is used the subdivider shall file with the City Clerk an agreement between the financial bank and himself guaranteeing the following:

- A. that the funds of said escrow account shall be held in trust until released by the City Council when the obligation is complete and may not be used or pledged by the subdivider as security in any other matter during that period, and
- B. that in the case of a failure, as determined by the City Council, on the part of the subdivider to complete said improvements, the bank shall immediately make the funds in said account available to the City for use in the completion of those improvements.

5.5 INSPECTIONS AND CERTIFICATIONS:

The City Engineer, or other knowledgeable official appointed by the City Manager, shall inspect for defects the construction of the required improvements. Upon completion of the improvements, the City Engineer shall file with the City Council a statement either certifying that the improvements have been completed in accordance with the Coweta Design Criteria and Technical Specifications or the improvements are defective, listing the defects. Upon completion of the improvements, the subdivider and his engineer shall file with the City Council as-built construction plans and a statement stipulating the following:

- A. that all required improvements are complete,
- B. that the subdivision improvements are in compliance with these regulation and the Coweta Design Criteria and Technical Specifications,
- C. that the subdivider knows of no defects in the improvements,
- D. that the subdivision improvements are free and clear of any encumbrance or lien.

5.6 AS-BUILT CONSTRUCTION PLANS:

Five (5) sets of as-built construction plans, certified and signed by a registered engineer shall be filed with the City Planner prior to the acceptance by the City Council of any improvement installed by the subdivider.

5.7 IMPROVEMENTS ACCEPTANCE OR FORFEITURE:

The Coweta City Council shall formally accept, by resolution or ordinance, any or all improvements before such improvements become public property, provided that all statements and agreements specified above have been received and that as-built construction plans have been submitted. The two-year maintenance bond shall begin with the approval by the City Council and the approval of the as-built plans shall not be construed to mean that the maintenance bond is void. No building construction shall be permitted on any lot to or on which improvements have not been completed in accordance with the provisions of these regulations and no municipal utility service will be furnished to such lot.

If any portion of the required improvements shall fail to be accepted for dedication as outlined above within two years of the recording of the final plat with the County Clerk, either for reasons of incompleteness or for substandard construction, the City Council shall declare whatever security has been pledged as a guarantee to be forfeited. Where the Council is not already in possession of said guarantee, it shall immediately take the actions necessary to obtain it. Upon receipt of the securities, the Council shall use the, or the proceeds from their sale, to finance the completion of the subdivision improvements or the rebuilding of such improvements to the proper specifications. Any unused portion of these securities shall be returned to the subdivider, the bonding company, or crediting institution as is appropriate.

5.8 MAINTENANCE BOND:

Regardless of the guarantee chosen by the subdivider to secure the contract to make the subdivision improvements, prior to acceptance of those improvements by the City Council, the subdivider shall obtain a maintenance bond from a surety bonding company authorized to do business in the State of Oklahoma. The bond shall be filed with the City Clerk and shall be payable to the City of Coweta. The amount of the bond shall be equal to one hundred percent (100%) of the entire cost of material for all water lines, sewer lines, paving, grading and drainage improvements. The duration of the maintenance bond shall be two (2) year from the date of acceptance of said improvements by the City Council.

5.9 TIME LIMIT:

The required improvements shall be completed within two (2) years from the filing of the subdivision plat with the County Clerk unless extended by the City Council for cause.

5.10 VACATED PLATS:

The vacation of a plat by District Court action as provided by State Statute shall remove the obligation to construct subdivision improvements.