

Chapter 16.28 – Improvements

Sections:

- 16.28.010 To be Shown on Plans--Standards Generally.
- 16.28.020 Preconstruction–Post-Construction–Completion Certificate.
- 16.28.030 Streets and Alleys–Determination of Street Type–Specification.
- 16.28.040 Waterworks Requirements.
- 16.28.060 Drainage.
- 16.28.070 Stream or Drainage–Approval Required for Irrigation Route Changes.
- 16.28.080 Schools or Parks--Standards Generally.

16.28.010 To be Shown on Plans--Standards Generally.

- A. The improvements described as follows in this chapter shall be shown on the construction plans of any subdivision and installed in accordance with the procedures and requirements designated in this chapter.
- B. All improvements shall be in accordance with all elements of the comprehensive plan of the city and the requirements of the Idaho Standards for Public Works Construction, and shall further be in accordance with the standard specifications of the city and with all requirements of this chapter. Construction shall be under the supervision of the city engineer and subject to his approval.

16.28.020 Preconstruction–Post-Construction–Completion Certificate.

- A. At the time of acceptance of the final plat, the developer shall file with the public works department complete, detailed construction drawings and complete written construction specifications for all improvements required in said subdivision with supporting calculations.
- B. Plans for the improvements required by this chapter shall be prepared by a professional engineer registered in the state of Idaho.
- C. Guarantee of Completion of Improvements:
 - 1. Financial Guarantee Arrangements: In lieu of the actual installation of required public improvements before filing of the final plat, the Council may permit the developer to provide a financial guarantee of performance in one or a combination of the following arrangements. No lots may be sold within the subdivision until improvements are guaranteed.
 - 2. Surety Bond:
 - a. Accrual: The bond shall accrue to the City covering construction, operation and maintenance of the specific public improvements;
 - b. Amount: The bond shall be in an amount equal to one hundred and ten percent (110%) of the total estimated cost for completing construction of the specific public improvement, as estimated by the applicant's engineer and reviewed and approved by the City Engineer and Council;

TITLE 16 – SUBDIVISIONS
CHAPTER 16.28 – IMPROVEMENTS

- c. Term length: The term length in which the bond is in force shall be for a period to be specified by the City Engineer for the specific public improvements and as stated in the public improvements agreement;
 - d. Bonding for Surety Company: The bond shall be with a surety company authorized to do business in the State of Idaho, acceptable to the Council; and
 - e. The escrow agreement shall be drawn and furnished by the Council.
3. Cash deposits, Certified Check, Negotiable Bond, or Irrevocable Bank Letter of Credit.
 - a. Treasurer, Escrow Agent or Trust Company: A cash deposit, deposit, certified check, negotiable bond, or an irrevocable bank letter of credit, of such surety acceptable by the City, shall be deposited with an escrow agent or trust company;
 - b. Dollar Value: The dollar value of the cash deposit, certified check, negotiable bond, or an irrevocable bank letter of credit, shall be equal to one hundred and ten (110%) percent of the total estimated cost of construction of the specific public improvements, as estimated by the applicant's engineer and reviewed and approved by the City Engineer and Council;
 - c. Escrow time for the cash deposit, certified check, negotiable bond or irrevocable bank letter of credit, shall be for a period to be specified by the City; and as stated in the public improvements agreement;
 - d. Progressive Payment: In the case of cash deposits or certified checks, an agreement between the City and the developer may provide for progressive payments out of the cash deposit or reduction of the certified check, negotiable bond or irrevocable bank letter of credit, to the extent of the cost of the completed portion of the public improvements, in accordance with a previously entered into agreement.
4. Other Forms of Security: The City Council may accept an alternate form of security proposed by the developer as long as such form is found valid and will cover one hundred and ten percent (110%) of the estimated costs of improvements.
5. Conditional Approval of Final Plat: With respect to financial guarantees, the approval of all final subdivision plats shall be conditioned on the accomplishment of one of the following:
 - a. The construction of improvements required by this ordinance shall have been completed by the developer and approved by the City Council.
 - b. Surety acceptable to the City shall have been filed in the form of a cash deposit, certified check, a negotiable bond, irrevocable bank letter of credit or surety bond.

TITLE 16 – SUBDIVISIONS
CHAPTER 16.28 – IMPROVEMENTS

6. Inspection of Public Improvements under Construction: Before approving a final plat and construction plans and specifications for public improvements, an agreement between the developer and the City shall be made to provide for checking or inspecting the construction and its conformity to the submitted plans. Such agreement shall require that the developer shall provide for the inspection through a non-related third party, provide weekly construction reports and provide copies of all test data, and any other data required by the City.
 7. Penalty in Case of Failure to Complete the Construction of a Public Improvement: In the event the developer shall, in any case, fail to complete such work within the period of time as required by the conditions of the guarantee for the completion of public improvements, the City or any other person with proper standing may proceed to have such work completed. In order to accomplish this, the City or other persons shall pay for the cost and expense thereof by appropriating the cash deposit, certified check, irrevocable bank letter of credit, or negotiable bond which the developer may deposit in lieu of a surety bond or may take such steps as may be necessary to require performance by the bonding or surety company and as included in a written agreement between the City and the developer; provided neither the City nor any person shall be required to pay or spend more than the amount of the bond and/or other deposit.
- D. Prior to the acceptance by the city of any improvement installed by the developer, three sets of as-built plans and specifications for all improvements shall be submitted on computer disk in a CAD or ASKI file, two hard copy sets of which shall be certified and signed by the engineer preparing such plans, shall be filed with the public works department.
- E. Within fifteen (15) working days after the city accepts the completion of improvements, the completion of which is guaranteed by a surety bond or other guarantee as provided for in subsection C of this section and the filing of the as-built plans as provided in subsection D of this section, the city engineer shall certify the completion and acceptance of said improvements in writing with an established checklist to include at a minimum review by the sewer, water, streets and public safety departments and shall transmit a copy of such certification to both the city clerk and to the developer. The city clerk shall thereafter release said surety bond or other guarantee upon application by the developer.

16.28.030 Streets and Alleys–Determination of Street Type–Specification.

- A. Street type, whether arterial, collector or local, shall be determined by reference to the comprehensive plan of the city and to a map of the entire area the street serves. When classification of a minor length of the street shall be shown on the subdivision plat it shall be shown as being proposed or on a previously approved plat.
- B. The pavement width of all streets shall conform to those widths defined in the comprehensive plan or standard city specifications.
- C. The paving design of the intersection of any new street with an existing state or federal highway shall be in accordance with the standard specifications of the Idaho Transportation Department, but in no case shall be less than the applicable specification contained in this section.

TITLE 16 – SUBDIVISIONS
CHAPTER 16.28 – IMPROVEMENTS

- D. Pavement, base, and leveling coarse gravel shall be constructed in accordance with standard city specifications.
- E. In general, the centerline of street pavement shall coincide with the centerline of the right-of-way in which the pavement is located.
- F. All subdivisions shall be constructed with curbs and gutters in accordance with standard city specifications.
- G. Sidewalks four (4) feet in width on both sides of any residential collector and other minor residential street or five feet in width in any commercial or industrial area, or matching the width of any existing sidewalk in all zones of the city shall be provided. Sidewalks shall also be provided along any other street in a subdivision where deemed by the council to be essential to public convenience or safety, in accordance with standard city specifications.
- H. Driveway curb cut and driveway approaches shall be made in accordance with the standard specifications of the city.
- I. Street lighting, shall be in accordance with the standard specifications of the city.
- J. Alleys shall be constructed in accordance with the standard specifications of the city.
- K. All utilities shall be placed underground before any base street material is laid. Utilities, other than water and sewer, shall be placed behind any sidewalk and within the right of way or front utility easement. A joint trench will be used for electric, gas, phone and cable utilities.

16.28.040 Waterworks Requirements.

- A. Central waterlines and fire hydrants shall be provided in all subdivisions in accordance with standard city specifications.
- B. Irrigation main lines and distribution lines shall be provided in accordance with standard city specifications.

16.28.060 Drainage.

Drainage shall be provided for on-site. Drainage improvements shall be constructed in accordance with standard city specifications. In addition, such improvements shall meet the best management practices accepted by the State of Idaho.

16.28.070 Stream or Drainage–Approval Required for Irrigation Route Changes.

- A. The reservation of an easement along any stream or important surface drainage course located in an area being subdivided may be required by the council for the purpose of widening, deepening, sloping, improving or protecting the stream or drainage course.
- B. No ditch, pipe or structure for irrigation water or irrigation wastewater shall be constructed, rerouted or changed in any way unless such obstruction, rerouting or change has first been approved in writing by the ditch company officer in charge; provided, however, that where such ditch, pipe or structure is held in mutual ownership, said approval in writing shall be obtained from the city engineer.

TITLE 16 – SUBDIVISIONS
CHAPTER 16.28 – IMPROVEMENTS

A copy of such written approval by the ditch company officer and/or the city engineer shall be filed with the construction drawings as provided.

16.28.080 Schools or Parks--Standards Generally.

Whenever the developer desires or proposes to reserve area for schools or parks, to be so designated on the subdivision plans, such reservation shall meet the standards of the city and/or school district respectively. The city reserves the right to request that parks or school locations be shown and dedicated.