

The Land Subdivision
Regulations of the City of
Bremen, Georgia

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Section I: Purpose

An ordinance of the City of Bremen, Georgia, establishing rules and regulations governing the subdivision of land into streets, blocks, and lots; requiring the preparation and presentation for Subdivision Plans and Plats; establishing minimum subdivision design standards; requiring street improvements and the installation of utilities as a condition of plat approval, defining terms, establishing procedures; providing penalties for violation; repealing conflicting resolutions; and for other related purposes.

A: Preamble and Enactment Clause

Pursuant to the mayor and Council of the City of Bremen do hereby resolve to enact this Ordinance for the following purposes:

- 1) To encourage the development of an economically sound and stable city;
- 2) To assure the provision of required streets, utilities, fire protection and other facilities and services in the new land development;
- 3) To assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in new developments;
- 4) To assure, in general the wise development plans of new areas in harmony with the development plans of the City of Bremen.

B: Short Title

This resolution shall be known and may be cited as "The Land Subdivision Regulations of the City of Bremen, Georgia."

Section II: Definitions

A: Customary Dictionary Definitions

Except as specifically defined herein, all words in this resolution have their customary dictionary definitions as used in 2006.

B: General Definitions

- 1) Words in the present tense include the future tense. Words in the singular include the plural, and words in the plural include the singular.
- 2) The word "shall" is always mandatory and never discretionary.
- 3) The word "person" includes individuals, firms, partnerships, corporations, associations, governmental bodies and all other legal entities.
- 4) The word "street" includes streets, avenues, boulevards, roads highways, expressways, lanes, alleys and other vehicular ways.

C: Specific Definitions

- 1) "City Engineer". The term "City Engineer" as used herein includes the Office of the City Engineer and Public works as such, may include other designated city representative. The city engineer primary responsibilities are to ensure that the minimum design standards and specifications of the City of Bremen are followed by all developments; and that the proposed developments are in compliance with all State and Federal mandated regulations.
- 2) "City Planner". The term "City Planner as used herein includes the Office of the city planner, and as such, may include Building Inspectors and code enforcement or other designated city representatives. The city planner primary responsibilities are to ensure that the zoning ordinance, subdivision regulations, and other pertinent ordinances are followed by developers, and property owners. The City Planner coordinates with other city departments and is responsible for issuing all permits within the City of Bremen, unless other city representatives are authorized.
- 3) "Common Walk" or "Sidewalk". A right-of-way, dedicated to common use, with paved sidewalks, providing pedestrian access between dwelling units and such common use facilities as schools, parking lots, shopping centers, recreation areas and other community facilities.
- 4) "Land Subdivision". All divisions of a tract or parcel of land into two (2) or more lots, building sites or other divisions for the purpose of development, whether immediate or future; including all divisions of land involving a new street to which the public has access or a change in a existing street, including any resubdividing and where appropriate to the context, relates to the process of subdividing or to the land or area subdivided; provided, however, that the following are not included within this definition: The combination or recombination of portions of previously platted lots where the total number of lots is not increased and resultant lots equal to the standards of these regulations; The division of land into parcels of five (5) acres or more where no new street is involved.
- 5) "Lot". A developed or undeveloped tract of land in one ownership, legally transferable as a single unit of land.
- 6) "Lot of Record". A lot which is part of a subdivision or lot, which has been recorded in the Office of the Clerk of the Superior Court of appropriate jurisdiction; or a parcel of land, that has a deed description which has been recorded in the Office of the Clerk of the Superior Court of appropriate jurisdiction.
- 7) "Lot, Substandard" any lot existing at the time of adoption of this Ordinance, which has an area or a width which is less than required by this Ordinance, and is subject to the following exceptions and modifications:
 - a) Adjoining lots in same ownership when two (2) or more adjoining and vacant lots within a non-approved development with continuous frontage are in a single ownership at the time of application and such lots have a frontage or lot area less than is required by the district in which they are located, such lots

- must be replatted so as to create one or more lots which conform to the minimum frontage and yard requirements of the district;
- b) Single lot when a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but was a lot at the effective date of this ordinance, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this Ordinance are met.
- 8) "Lot. Through or Double-Frontage". A lot having frontage on two (2) streets that are approximately parallel.
 - 9) "Maintenance Bond" A maintenance bond is a bond issued to assure that all infrastructure and street improvements are in good condition at the time of public dedication. The bond's primary function is to assure that all repairs are made to the subdivision's infrastructure, due to damage caused during construction or other associated construction in the development and assure that the public incurs minimum, if any cost; associated with or as a result of a subdivision development. The maintenance bond is executed only if the developer refuses to make proper corrective action.
 - 10) "Street". Any publicly maintained way for vehicular traffic which has been accepted for maintenance as a street by the City of Bremen. For the purposes of this resolution, streets are divided into the following categories:
 - a) "Major Thoroughfare" - a principle arterial highway carrying through traffic, and is intersected by collector streets as designated as such on the Transportation Plan of the City of Bremen.
 - b) "Minor Thoroughfare" or "Collector Street" - A principle street carrying traffic that provides access to intersecting local streets. The collector street intersects a major thoroughfare and is designated as such on the Transportation Plan of the City of Bremen
 - c) "Local Street" - A street used primarily for access to abutting properties that has a terminal point or intersects a collector street.
 - d) "Industrial Street" - A street serving primarily industrial developments.
 - e) "Alley" - A minor vehicular way providing service access to the back or sides of properties abutting a street.
 - f) "Cul-de-sac" - A local street with only one outlet, sometimes called a "dead-end" street.
 - g) "Marginal Access Street" - a local street parallel and adjacent to a major thoroughfare, expressway, limited access highway or railroad right-of-way, which provides access to abutting properties.
 - 11) "Subdivider". The person having sufficient proprietary interest in the land being subdivided, and who will have the authority and responsibility in the subdivision procedures to subdivide such land under these subdivision regulations, or the authorized agent of that person for the purpose of such proceedings.
 - 12) "Subdivision Regulations". The Land Subdivision Regulations of the City of Bremen, Georgia.
 - 13) "Planning Commission". The Planning and Zoning Commission of the City of Bremen, Georgia.

- 14) "Open Space". The term open space or common open space includes areas used for recreation, parks, and other public uses. When an open space is contained in a floodplain, no earth fill shall be allowed or building erected. Landscaping, natural trails and other passive improvements and uses are permitted.
- 15) "Infrastructure" The term "Infrastructure" shall include all of the following improvements: Roadway, water, sanitary, gas, cable tv, electric, storm water management facilities and other Right-of-way improvements when applicable.
- 16) "Buffer Zone Improvements" The term "buffer zone improvements" shall mean any improvements deemed necessary by the Planning Commission or when a landscape plan is presented by the developer or owner to aesthetically enhance a required buffer zone.

Section III: Administrative Procedures

A: Pre-Application Conference

- 1) Before proceeding with a proposed land subdivision by the initial submitting of a Concept Plan, subdividers are invited and encouraged to confer early and informally with the City Manager or their designees relative to the nature of their project and applicable standards. No fee shall be charged for this conferring, and no formal application is necessary. It is suggested that the conference be scheduled with as much advance notice as possible and any available information concerning the land subdivision be submitted to the City Manager in advance to allow proper preparation for the conference. The Subdivider may submit sketch plans and data showing existing conditions within the site and in its vicinity and the proposed layout of the subdividing.
- 2) The purpose of the pre-application conference is to afford the subdivider an opportunity to avail himself of the advice and assistance of the City Manager in order to facilitate the subsequent preparation and approval of subdivision plans. The pre-application conference in no way binds or obligates the city to approve any applicant on the basis of attending the pre-application conference. The capacity of the City's existing infrastructure is always of consideration. Water and/or sewer service may require infrastructure upgrade at the developer's expense and storm water is to be managed. Subdividers should resolve capacity issues as early in the process of land subdividing as possible.
- 3) The subdividing shall be in accordance with the Zoning Ordinance of the City of Bremen, Georgia.

B: Concept Plan Submittal and Approval

- 1) Concept Plan Submittal
 - a) The Concept Plan submittal for any subdivision shall consist of plans and drawings and an Application for Concept Plan Approval (see Attachment A). The applications are available at City Hall. The plans and drawing shall be prepared in accordance with the drawing guidelines included in this ordinance and shall be stamped and signed by a Professional Engineer registered in the

State of Georgia. The plans and drawings shall contained the following elements:

- (1) Streets, street names, and right-of-way widths.
- (2) Other rights-of-way and all easements.
- (3) Lot lines drawn to scale.
- (4) Lot and block identification.
- (5) Minimum building setback lines.
- (6) Subdivision boundary lines and total subdivision land area in acres.
- (7) Key plan (if more than one sheet), legend, and notes.
- (8) Dimensions, data, and lines as necessary to clearly indicate that all applicable requirements of the Zoning Ordinance are met.
- (9) Title, scale, north arrow, and date. The title shall clearly indicate that the said plans and drawings are "Concept Plans" for the proposed subdivision.
- (10) Name and address of the owner of record and of the subdivider.
- (11) Proposed name of the subdivision.
- (12) The location of the Subdivision and developments in its vicinity including land lot and district numbers and lines, City and County names and boundary lines.
- (13) Names of owners of record of adjoining property.
- (14) Location of existing structures on the tract.
- (15) The location(s) of any natural features on the tract, (i.e. floodplain, wetlands, sinkholes, etc.).
- (16) All required buffer zones and buffer zone improvements shall be shown on the plan.
- (17) Topography at intervals of two (2) or ten (10) foot contour.
- (18) Pavement widths, spot elevations, approximate street gradients and outline construction specifications.
- (19) Spot elevations and/or slope ratios for any heavy grading.
- (20) Proposed public or semipublic sites for parks, churches, and other community facilities, if any.
- (21) Generalized storm drainage layout including approximate locations of catch basin, tentative sewer and culvert sizes, spot elevations of key system elements, final disposition of surface water, and outline construction specifications.
- (22) Preliminary sanitary sewer system layout including approximate line locations, depths, and sizes, manholes, elevations of key system elements, location or method of final wastewater disposal, and outline of construction specifications.
- (23) Preliminary water system layout including approximate line location, sizing, fire hydrants and ties into the existing city water distribution system.
- (24) Sequence and geographic limits of construction phases proposed for large scale development.
- (25) Other data as necessary to demonstrate that the subdivision can meet the requirements of an acceptable subdivision plat of record.
- (26) Sidewalk locations and handicapped crossing ramps according to GDOT specification 9031W.

- 2) Concept Plan Approval
 - a) The subdivider shall submit two (2) full size copies of the Concept Plan, six (6) half size (11" x 17") copies, and a completed Application for Concept Plan Approval to the City Manager or his designee.
 - b) The City Manager or his designee shall review the Concept Plan and coordinate with other relevant city departments likely to be affected by or having jurisdiction with respect to any land subdivision matter. Such departments shall thereupon analyze and acquaint themselves with the Concept Plan and develop comments as to the Concept Plan meeting the requirements of any applicable regulations.
 - c) The following provisions shall determine in-part the recommendations presented to the Planning Commission:
 - (1) A letter of intent for resolving any usual natural or environmental concerns associated with the property. (Consent to City Regulations)
 - (2) Appropriately addressing all Federal, and State mandated regulations.
 - (3) Meeting the regulations set forth herein and all necessary requirements of the Zoning Ordinance of and the "Design Standards of the City of Bremen".
 - d) After review of the comments by the various city departments and other agencies that are part of the public infrastructure (i.e. schools); the City Manager or their designee shall, within 45 days of the date upon which the Concept Plan and Application for Concept Plan Approval were received by the City; notify the subdivider of the status of the reviewed Concept Plan.
 - (1) If the plans satisfy all requirements the subdivider shall be advised that the City Manager will submit the plans to the Planning Commission for their consideration (approval/rejection).
 - (2) If the plans require revisions the City Manager will advise the Subdivider of the required revisions and provided redlined plans and related documentation as appropriate.
 - (3) The subdivider shall have up to 6 months to revise and resubmit the Concept Plan.
 - (4) Resubmitted Concept Plans will be compared to the required revisions and the subdivider notified according to the status of the reviewed Concept Plan.
 - e) The city planner shall notify the subdivider of the time and place at which the Planning Commission will act upon the Concept Plan.
 - f) The Planning Commission shall be furnished with the review and comments of the City Manager and staff after which the Planning Commission, at a regularly scheduled meeting shall conduct a formal hearing, to give tentative approval or denial on the Concept Plan. However, a decision shall be made within forty (40) days from the original public meeting, unless the Planning Commission requires further information and has officially tabled the decision until its next regularly scheduled meeting. If the Planning Commission fails to act within forty (40) days of said public meeting, the preliminary plat shall be considered approved. The ground(s) for denial of any plat shall be stated upon the records of the Planning Commission.
 - g) The City Planner shall promptly notify the subdivider in writing of the action taken on his application.

- h) No construction work or site preparation shall be deemed to have been authorized on a proposed land subdividing as a result of any action taken by the Planning Commission in connection with approving or denying a Concept Plan.
- i) Approval of a Concept Plan shall expire and be null and void after a period of one year unless, an extension of time is applied for in writing and approved by the Planning Commission prior to the expiration of the approval period.

C: Approval of Construction Plans and Stormwater Management Plans

- 1) After a Concept Plan has been approved by the City's Planning Commission for a subdividing; a subdivider wishing to obtain approval from the City to construct the subdividing shall submit the application for Construction Plan and LDP Approval (see Attachment B) and, two (2) copies of the site Construction Plan, two (2) copies of the Stormwater Management Plan, and Erosion and Sediment Control Plans for review. The City Manager or his designee shall review the Construction Plans and coordinate with each city department likely to be affected by or having jurisdiction with respect to any land subdivision matter. Such departments will review the plans and will forward comments to the City Manager or his designee. Review comments will be returned to the project engineer. When the drawings and plans are corrected to reflect all City comments, the City will submit two copies of the erosion and sedimentation control plan to the local soil and water conservation district for review and approval as required. District approval must be obtained prior to issuance of an LDP. The subdivider shall be responsible for modifying/revising the Erosion and Sediment Control Plans to obtain District approval. The project engineer will submit the construction plans to the Georgia EPD to obtain the necessary approvals. The subdivider or subdivider's engineer shall be responsible for completing the DRINKING WATER PROJECT SUBMITTAL FORM and the SANITARY SEWER EXTENSION SUBMITTAL form. Blank forms can be obtained from the office of Community Development. If revisions are required by the EPD the subdivider and/or the subdivider's engineer will be notified. When approvals are obtained the City will advise the engineer and/or the subdivider such that the necessary number of copies of the Construction Plans and Storm water Management Plans are to be submitted to the City for stamping approved. The number of copies the Construction Plans necessary for stamping equals the number of approved sets required by the engineer and subdivider plus three (3). The City will retain two (2) copies of the approved construction plans and requires that the subdivider have one (1) copy of approved drawings at the job site at all times. The number of copies of the Storm water Management Plan necessary for stamping approved equals the number required by the engineer and subdivider plus two (2). The City will retain two (2) copies of the approved Storm water Management Plan.
- 2) Plan approval does not relieve the subdivider from the responsibility of downstream impacts caused by the quality or the quantity of storm water runoff, nor does plan approval constitute a guarantee of plant or infrastructure capacity.
- 3) Plan approval shall be valid for a period of one year.

- 4) The City's review and approval does not relieve the owner, developer, and/or contractor from any responsibility or liability.
- 5) Plan approval shall not relieve any party from the duty to comply with all applicable construction specifications established by the City. The subdivider and his contractors must comply with applicable federal, state, and local regulations including but not limited to, pollutant discharge limits, wetland protection, stream buffer protection and flood protection.

D: Land Disturbance Permitting

- 1) As required by the City of Bremen Soil Erosion and Sedimentation Control Ordinance, development and redevelopment projects that involve the disturbance of one acre or more, or any soil disturbance within 200 feet of the bank of a stream, must obtain a Land Disturbance Permit (LDP). The application for a permit shall be submitted to the City of Bremen, care of the City Manager along with five (2) copies of the applicant's Erosion and Sediment Control Plans that have been prepared in accordance with the City of Bremen Soil and Erosion and Sedimentation Ordinance.
- 2) The subdivider shall submit a Notice of Intent (NOI) with applicable fees to both the City and the State of Georgia Environmental Protection Division (EPD) prior to an LDP being issued. The NOI shall be submitted in the appropriate EPD format.
- 3) Performance bonding in the amount specified in the City of Bremen Soil Erosion and Sedimentation Control Ordinance is due in full prior to issuance of an LDP.
- 4) The LDP will be issued once all requirements according to the City of Bremen Soil Erosion and Sedimentation Control Ordinance have been met. The City will release the LDP to the subdivider at the pre-construction meeting.
- 5) If construction is not substantially underway within six months after the approval date, a resubmittal of the plans shall be required. Any break in construction greater than six months will require a resubmittal of the plans.

When the LDP is released to the subdivider clearing and grubbing of the site can occur in accordance with the schedule contained in the approved Erosion and Sediment Control Plans. Minor grading may be approved on a case by case basis by the City but must be approved in advance and approval must be obtained in writing from the City. Major earth moving or the installation of infrastructure cannot occur until Construction Plans are approved by the City.

E: Project Construction

- 1) Construction may begin after the City approves construction plans, the subdivider has obtained a Land Disturbance Permit, and a Pre-construction meeting has been held by the appropriate City Inspector(s). A minimum 3 day notice of the subdivider's intent to begin construction must be given to the City manager or his designee to allow an inspector(s) to be assigned to the project and a pre-construction meeting to be scheduled. The LDP shall be released at the pre-construction meeting.

- 2) Soil erosion and sedimentation control best management practices shall be installed and maintained according to the approved Erosion and Sediment Control Plans.
- 3) The subdivider or the subdivider's contractor shall provide a work schedule to the inspector at the pre-construction meeting. Typically the schedule shall align with the City's regular business hours. Inspection work that is required at times other than the City's regular business hours is subject to reimbursement. Any deviation from this work schedule shall be approved by the inspector in advance.
- 4) Any infrastructure that has not been inspected and has been backfilled is subject to being excavated by the installer for the purpose of a full inspection.
- 5) All construction work involving infrastructure that is to be accepted by the City shall be done by a firm possessing a valid Georgia Utility Contractors license.
- 6) All construction work involving infrastructure that is to be accepted by the City shall be done in accordance with the "Design Standards" of the City of Bremen. Infrastructure that is not installed in accordance with the "Design Standards" of the City of Bremen will not be accepted by the City.
- 7) Utility permits are required before beginning any infrastructure work in public right-of-ways other than the City's right-of-ways. The City will obtain these permits and issue them to the subdivider before work commences in the right-of-way.
- 8) City inspectors are required to be present during infrastructure tie-ins to City owned and operated systems.
- 9) The City will inspect erosion and sediment control measures during the first week of the project and at least once a week thereafter. Inspections may also be performed before, during, or after rainfall events. In the event that problems are observed, the inspector shall issue a written Notice of Violation to comply and notify the 24-hour contact person listed on the erosion control plan.
- 10) In the event the remedial measures described in the Notice of Violation have not been completed by the date set forth for such completion in the Notice of Violation, a Stop Work Order may be issued. If the violation presents an immediate threat to public health or waters of the state or if land-disturbing activities are conducted without obtaining a Land Disturbance Permit, the City may issue an immediate Stop Work Order. All stop orders shall be effective immediately upon issuance and shall remain in effect until the necessary corrective action is taken to the satisfaction of the City. If proper corrective action is not taken within 10 days of issuance of a Stop Work Order, the City may call the Performance Bond or any part thereof to be forfeited and may use the proceeds to hire a contractor or use the City's own forces to stabilize the site.
- 11) Construction of infrastructure will not be considered to be complete until all testing required in the Design and Construction Standards sections of these Regulations have been successfully satisfied.
- 12) The project will not be released for testing until "As-Built" drawings of the constructed infrastructure have been received and approved by the City. The As-Built drawings shall be submitted as paper and electronic documents. The electronic document shall be compatible with the City's current CAD/GIS software.

- 13) A registered land surveyor or Professional Engineer, licensed in the State of Georgia, is required to field verify the "As-Built" drawings (location and invert elevation of pipes, basins, drains, ponds, BMPs, etc.). "As-Built" drawings shall reflect actual field conditions. Unmodified construction drawings are not acceptable.
- 14) Certification statements as detailed in appendices of these regulations shall be on each sheet of the paper copy As-Built drawings and shall be signed as designated in appendices.
- 15) The subdivider may be required at his or her cost to construct, reconstruct, remove or modify utility infrastructure to comply with the "As-Built" drawings when and if field conditions do not match the "As-Built" drawings.

F: Acceptance of Constructed Infrastructure and Approval of Final Plat

- 1) An Acceptance Letter accepting all constructed infrastructure that is to be dedicated to the City is required for a subdividing before the Final Plat for said subdividing will be considered for approval by the City.
 - a) For residential subdividings, a Final Plat must be approved before building permits will be issued for the construction of homes/dwellings by the City.
 - b) For commercial subdividings, a Final Plat must be approved before certificates of occupancy will be issued by the City.
- 2) The City Manager's Office will issue an acceptance letter when the following requirements are met:
 - a) All quality assurance tests for infrastructure to be accepted by the City as defined in the Construction and Installation Section (Section VI) of these Regulations are conducted by the contractors, observed by City inspectors and found to meet or exceed established requirements.
 - b) All water, sewer, and storm water conveyance structures, detention facilities, and best management practices are completed for the development.
 - c) The original permanent easements naming the City as the grantee for all required off-site public infrastructures and drainage easements shall be on file with the City's Engineering Department. The subdivider is responsible for obtaining all required off-site easements and said easements must be in form and structure as approved by the City's attorney. The City will not accept any easements or other grants of property unless the easement, deed, or other document of conveyance has been reviewed by the City's attorney and approved by the City Manager. Upon approval, the City shall be responsible for recording the off-site easement(s) and plats of survey in the Records of the Clerk of the Superior Court of Haralson/Carroll County, Georgia.
 - d) Maintenance bonding is provided in an amount equal to 50% of the standard construction cost as determined using the unit cost, as determined by the city engineer.
 - (1) Eighteen (18) months after the letter of acceptance is issued, the project will be re-inspected to ensure system acceptability. A representative of the subdivider must be present for this inspection. If any corrective measures are necessary, a punch-list letter delineating the items to be corrected will be sent to the developer.

- (2) Twenty four (24) months after the project is accepted and after all final punch-list items have been resolved, the maintenance bonding will be released.

G: Final Plat Submittal and Approval

- 1) Final Plat Submittal
 - a) Final plats may be submitted for approval once an acceptance letter accepting all applicable infrastructure for the subdividing is received from the City and completion of an Application for Final Subdivision Plat Approval (see Attachment C).
 - b) The Final Plat shall be prepared by a licensed land surveyor and shall meet the following requirements:
 - (1) The requirements for plats as detailed by the Georgia Plat Act
 - (2) The plat shall be drawn utilizing a scale that provides clear and legible details and shall be presented on the number of sheets as necessary to obtain the clarity and legibility
 - (3) The plat shall be printed on vellum and provided as electronic documents. Twenty (20) copies of printed copies of the final plat shall be provided to the city. The electronic document shall be compatible with the City's current CAD/GIS software.
 - (4) The plat shall show the following:
 - (a) Numeric and graphic scales, north arrow and date.
 - (b) Name and address of the owner of record and subdivider.
 - (c) Name of subdividing and its acreage.
 - (d) Bearing and distances determined by field survey of the boundaries to the nearest street line or other permanent monuments accurately described on the plat. In the event that these monuments are not available, the subdivider shall have the required number of monuments constructed at locations and in a manner acceptable to the City.
 - (e) Municipal, County and land lot lines shall be accurately located in relationship to the subdividing boundaries by distances and bearings when such lines traverse or are reasonably close to the subdividing.
 - (f) Bearing and distances determined by field survey of each lot boundary to be to an accuracy of at least 1:10,000.
 - (g) Bearings and distances of street right-of-way lines shall be determined by field survey and be accompanied by appropriate curve and tangent data.
 - (h) Street addresses as assigned by the City Planner.
 - (i) Names of owners of record of adjoining land.
 - (j) Names, location, and right-of-way widths of streets on and adjacent to the subdividing.
 - (k) Lot lines with accurately calculated bearings and distances, square footage and acreage, lot numbers and block numbers or letters.
 - (l) Sites, if any, to be used for purposes other than single family dwellings.
 - (m) Sites, if any, to be dedicated or reserved for parks, schools,

- playgrounds or other public use, together with the purpose and conditions or limitations of such a dedication, if any.
- (n) Minimum setback lines and buffer zones, as required under the City of Bremen Georgia Zoning Ordinance.
 - (o) All easements on and adjacent to the subdividing with their locations (bearings and distances), widths and purpose.
 - (p) Locations of significant existing structures on the subdividing.
 - (q) Location of any state waters on and/or adjacent to the subdividing, show and label the state mandated undisturbed buffer from the top of the stream bank.
 - (r) Location of any wetlands or flood plain on or adjacent to the subdividing.
 - (s) A statement directly on the plat (cover sheet of multi-sheeted plats) of any deed covenants, none of which shall stipulate lower standards than the Zoning Ordinance or the minimum standards found in the Land Subdivision Regulations of the City of Bremen.
- c) The plat shall be reviewed and approved by the City Manager or designee and once approved will be submitted by the City Manager for approval at the next scheduled meeting of the Planning Commission.
 - d) The Final Plat shall become the Plat of Record upon approval by the Planning Commission and shall be recorded in the Records of the Clerk of the Superior Court of Haralson/Carroll County, Georgia and proof of recording provided to the City within ten (10) days of the approval by the Planning Commission. Failure to record the final plat or to timely provide proof of such recording to the City will delay the issuing of building permits or certificates of occupancy.

Section IV: Section Guidelines

A: Platting Authority and Enforcement

- 1) Platting Authority
 - a) The Planning Commission shall be the platting authority for all land within the incorporated limits of the City of Bremen. The final subdivision plat of record shall be prepared and submitted for approval to the Planning Commission as detailed in the Administrative Section of these regulations.
- 2) Land Subdivision Plat Recording
 - a) No plat of a land subdivision within the incorporated area of the City of Bremen, Georgia shall be accepted for recording in the office of the Clerk of the Superior Court of appropriate jurisdiction, except the land subdivision plat of record on which is inscribed the approval of the secretary of the Planning Commission.
 - b) The Clerk of the Superior Court of appropriate jurisdiction shall not record or file a plat of a subdivision within the incorporated area of the City of Bremen, Georgia which is not a land subdivision plat of record and which does not have the signed approval of the Planning Commission on said plat, as required by this resolution.
 - c) The filing or recording of a plat of a subdivision which is not a land subdivision plat of record approved by the Planning Commission is hereby declared a

violation of this ordinance and anyone, upon conviction, shall be punished as provided by law.

3) Use of Plat

a) The owner or the agent of the owner, of any land to be subdivided in the incorporated area of the City of Bremen who transfers or sells or agrees to sell, or other use of a plat of a subdivision that is not the land subdivision plat of a record that has been approved by the Secretary of the Planning Commission and has been recorded in the Office of the Clerk of the Superior Court of appropriate jurisdiction shall be guilty of a misdemeanor and, upon conviction, shall be punished as provided by the law; and the description by metes and bounds in the instrument of such a transfer shall not exempt the transaction from such penalties. The City Attorney of the City of Bremen may enjoin such transfer or agreement by appropriate action.

4) Acceptance of and Improvements in Unapproved Streets

a) The Mayor and Council of the City of Bremen, Georgia, or other public authority shall not accept, lay out, open, improve, grade, pave, or light any street or lay or authorize the laying of any water mains, sewer, connections or other facilities or utilities in any street within the incorporated area of the City of Bremen unless such street is approved on engineered construction plans by the City Engineer or unless the street has attained legal status of a public street prior to the effective date of this or a prior subdivision resolution; provided however, that the Mayor and Council of the City of Bremen, Georgia, may locate, construct or accept any street by resolution.

5) Erection of Buildings

a) No building permit shall be issued for and nor building or other structure shall be erected on any lot within the incorporated area of the City of Bremen unless the street on which the lot fronts corresponds in its location and lines with a street shown on the subdivision plat of record of a subdivision that has been approved by the Planning Commission and has been recorded in the Office of the Clerk of the Superior Court of the appropriate jurisdiction, unless the specific building lot existed and street had been attained the legal status of a public street prior to the effective date of this or a prior subdivision resolution or had been accepted as a public street by the Mayor and Council of the City of Bremen, Georgia.

B: Subdivision Fees & Maintenance Bonding

1) Concept Plan Fee

a) At the time of filing an application for concept plan approval, a fee shall be paid to the city. The final plat fee shall be \$400.00 with an additional \$10.00 for each lot in said subdivision, plus any legal and advertising fees the city may incur. A \$100.00 fee shall be imposed for any re-submittal and a fee of \$15.00 per lot shall be required.

2) Final Plat Fee

a) At the time of filing an application for final plat approval, a fee shall be paid to the city. The final plat fee shall be \$15.00 for each lot in said subdivision, plus

any legal and advertising fees the city may incur associated with the filing of the final plat.

- b) Any subdivision requiring the installation and use of a lift station shall be required to pay upon submittal of the final plat fee of \$1000 per horsepower of every lift station installed.

3) Maintenance Bonding

- a) A sub divider must have completed 100% of the infrastructure and road improvements before applying the approval of the Final Plat of Record. A maintenance bond shall be issued to the city at the time the final plat is filed. The maintenance bond shall be based on 50% of the estimated cost of construction as calculated by the City Engineer, through current cost estimates based on a regional or state wide basis. The bond shall be issued to the city for repairs and maintenance of the accepted infrastructure and for corrective actions neglected by the subdivider.
- b) The maintenance bond shall remain in effect for two (2) years; six (6) months prior to the termination of the maintenance bond the City Engineer shall perform a re-inspection of the infrastructure improvements to determine if any corrective action is deemed necessary. Should the city engineer's inspection reveal deficiencies, the owner shall be given a written notice within two weeks of the City Engineers inspection. The owner shall then be given two additional weeks, to meet with the City Engineer to review the findings of said inspection. The owner shall then be given three months to correct any deficiencies, prior to the forfeiture of the maintenance bond to the city.
- c) The termination of said maintenance bond shall immediately be requested by staff at the next regularly scheduled council meeting following the two year expiration period.

C: General Requirements

1) Suitability of Land

- a) Land subject to flooding, improper drainage or erosion, or land that is for topographical or other reasons unsuitable for residential use or for any other use that will continue or increase the danger to health and safety and of property destruction, shall not be developed unless the hazards can be and are corrected. No area situated in wetlands shall be considered for development without adequate mitigation measures as mandated by the Army Corps Engineers.

2) Preservation of Trees and Other Natural Growth

- a) The sub divider shall preserve all trees and other natural growth to the maximum extent feasible and demonstrate such preservation through plans and text.

3) Access

- a) Every subdivision or site shall be provided access to a public street.

4) Conformance to the Zoning Ordinance, Street and Comprehensive Plans

- a) All streets and other features of the Zoning Ordinance of the City of Bremen, Georgia, shall be platted by the sub divider in the location and to the dimension indicated and required by the Zoning Ordinance and Zoning Map.

- b) When features of other plans are adopted by the Planning Commission (such as schools or other public sites) are located in whole or in part of a land subdivision, such features shall be either dedicated or reserved by the subdivider for acquisition within a reasonable time by the appropriate public agency.
 - c) Whenever a subdivision plat proposes the dedication of land for public use and the Planning Commission finds that the land is not required or suitable for such public use, the Planning Commission shall refuse the proposed dedication of land on said plat and shall notify the land developer and the governing body in writing of the reason(s) for such action.
- 5) Group Projects
- a) Group projects shall prepare a site plan and construction drawings in accordance with those requirements outlined in "Design Standards of the City of Bremen". The approval process for group projects shall consist of those outlined in Article IX Subdivision Construction Plan Approval.
- 6) Utility and Drainage Easements
- a) An easement shall be provided for all utilities and structures located out of the right-of-way. Such easements shall extend a minimum of (10) feet out from the outermost part of the structure, but shall not be less than twenty (20) feet in total width. All storm drains shall extend to within twenty (20) feet of the storm water management facilities leaving room for energy dissipating measures. Should energy dissipation require more than twenty (20) lineal feet a variance shall be required, prior to construction of the storm drainage system.
 - b) When located within the same permanent utility easement water and sewer lines shall be separated ten (10) feet horizontally and twenty-four (24) inches vertically.
 - c) All utilities for new subdivisions shall be buried. The waterlines shall be located five (5) feet inside the right-of-way on the side of the developer's choice. The sewer line shall be ten (10) feet off the curb opposite the waterline. The gas main shall be a maximum of three (3) feet off the curb on either side. Power, telephone, cable, and any other utility location shall be coordinated with the appropriate service provider.

D: Required Improvements

- 1) Prior to the commencement of construction on any building within the subdivision, the following elements must be completed when a performance bond has not been issued by the city:
 - a) Storm drainage system including satisfactory storm water discharge on or off the subdivision site
 - b) Street grading
 - c) Satisfactory erosion control
 - d) All-weather hard surfacing of the roads
 - e) Concrete curb and gutters
 - f) Sidewalk and crossing ramps shall be installed according to GDOT specifications reference #9031W

- g) Bridges if any are necessary for public access along any street proposed for public dedication shall be constructed
- h) Satisfactory completion of the sanitary sewer system including on or off-site disposal of wastewater
- i) Satisfactory completion of the water distribution system with fire hydrants and any off-site extensions of City water supply to the subdivision
- j) All buffer area improvements and augmentations
- k) Street lighting
- l) Any other public utilities that may be necessary for the completion of the subdivision; including but not limited to: gas lines, electric lines, phone lines, and cable lines
- m) Approval and filing of the Documents of Record by the City Engineer

E: Administration, Enforcement, and Penalties

- 1) Adoption, Amendments, and Appeals
 - a) Adoption of the Land Subdivision Regulations: Before the Mayor and City Council adopts this resolution or an amendment to it, the City shall hold a public hearing thereon, and shall give at least a fifteen (15) day notice but, shall not exceed forty-five (45) days notice, of the time and place of the public hearing that shall be published in a newspaper of general circulation in the City.
 - b) Amendment to the Land Subdivision Regulations: The land subdivision regulations may be amended from time to time by the Mayor and City Council, but no amendment shall become effective unless it shall have been proposed by or shall have first been submitted to the Planning Commission for review and recommendation. The Planning Commission shall have thirty (30) days within which to submit its report. If the Planning Commission fails to submit a report within the thirty (30) day period, it shall be deemed to have approved the proposed amendment.
 - c) Appeals - Article XV of the Zoning Ordinance of the City of Bremen
- 2) Legal Status
 - a) Conflicts with Other Laws: Whenever the regulations of this resolution impose more restrictive standards than are required under any other statute, the requirements of this resolution shall govern. Whenever the provisions of any other statute require more restrictive standards than are required by this resolution, the provisions of such statute shall govern.
 - b) Separability: Should any section or provision of this resolution be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the resolution as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.
 - c) Repeal of Conflicting Resolutions: All resolutions or parts of resolutions in conflict herewith are hereby repealed.
 - d) Violations and Penalties: Any person, firm or corporation or other legal entity violating any of the provisions of this resolution shall be guilty of a misdemeanor and upon conviction, shall be fined not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) for each offense. Each day such violation continues shall constitute a separate offense. The City or

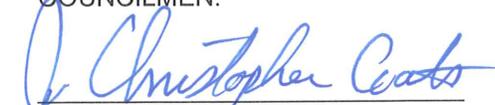
any other owner of real estate who would be damaged by such a violation, in addition to other remedies, may institute an injunction, mandamus or other appropriate action in proceeding to stop the violation.

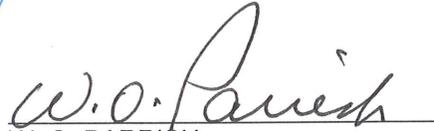
- e) Effective Date: This resolution shall take effect and be in force from and after the date of its adoption, the public welfare demanding it.

ADOPTED: 3/13/2006

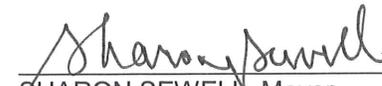
BY THE MAYOR AND CITY COUNCIL
OF THE CITY OF BREMEN, GEORGIA .

COUNCILMEN:


J. CHRISTOPHER COATS


W. O. PARRISH

Attested: 
BEVERLY CASH, City Clerk


SHARON SEWELL, Mayor


W. STEPHEN McINTOSH


DANNY L. ROBINSON