

SUBDIVISION REGULATIONS

for the

**City of Haleyville
Winston County, Alabama**

February 2007

**Subdivision Regulations
City of Haleyville
Winston County, Alabama**

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**Subdivision Regulations
City of Haleyville
Winston County, Alabama**

Article I. General Provisions

Section 101. Enactment and Authority

Under the provisions of title 11, chapter 52 of the Code of Ala. of 1975 [Code of Alabama 1975, § 11-52-1 et seq.], which provisions are hereby made a part hereof, these regulations governing the subdivisions of land are hereby adopted by the City of Haleyville Planning Commission as of the effective date of these regulations. A copy of these regulations will be certified to the probate judge of Winston County and copies are available from the City Clerk of the City of Haleyville.

Section 102. Jurisdiction

On and after their effective date, these regulations shall govern each and every subdivision of land within the corporate limits and within one and one-half miles of the City of Haleyville's incorporated limits as the same now exists or may hereafter be altered.

Section 103. Purpose

The subdivision regulations are adopted for the following purposes:

1. To protect and provide for the public health, safety, and general welfare of the city and its environs.
2. To guide the future growth and development of the city in accordance with plans and policies adopted pursuant to the comprehensive planning process.
3. To provide for adequate light, air, and privacy to secure safety from fire, flood, and other dangers, and to prevent overcrowding of the land and undue congestion of population.
4. To encourage the orderly and beneficial development of the city and its environs.
5. To protect and conserve the value of land throughout the city and its environs and the value of buildings and improvements upon the land and to minimize the conflicts among the uses of land and buildings.
6. To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewerage, schools, parks, playgrounds, recreation, and other public requirements and facilities.

7. To provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the city, having particular regard to the avoidance of congestion in the streets and highways, and the pedestrian traffic movements appropriate to the various uses of land and buildings, and to provide for the proper location and width of streets and building lines.
8. To establish reasonable standards of design and procedures for subdivisions and resubdivisions, in order to further the orderly layout and use of land; and to insure proper legal descriptions and monuments of subdivided land.
9. To insure that the public facilities are available and will have a sufficient capacity to serve the proposed subdivision.
10. To prevent the pollution of air, streams, and ponds; to assure the adequacy of drainage facilities; to safeguard the water tables; and to encourage the wise use and management of natural resources throughout the community and the value of the land.
11. To preserve the natural beauty and topography of the Haleyville area and to insure appropriate development with regard to these natural features.
12. To provide for open spaces through the most efficient design and layout of the land, including the use of average density in providing for minimum width and area of lots, while preserving the density of land as established in the zoning ordinance of Haleyville.

Section 104. Enforcement, Violations, and Penalties

1. Enforcement. It shall be the duty of the planning commission to enforce these regulations by bringing to the attention of the mayor, city council, or city attorney any violations or lack of compliance herewith.
2. Violations and penalties. Whoever, being the owner or agent of the owner of any land located within a subdivision, transfers or sells or agrees to sell or negotiates to sell any land by reference to or exhibition of or by other use of a plat of a subdivision before such plat has been approved by the Haleyville Planning Commission Haleyville Planning Commission and recorded or filed in the county probate office shall forfeit and pay a penalty of \$100.00 for each lot or parcel so transferred or sold, or agreed or negotiated to be sold, and the description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties or from the remedies provided in this section.

The city may enjoin such transfer or sale or agreement by a civil action for injunction brought in any court of competent jurisdiction or may recover the same penalty provided in this section by a civil action in any court of competent jurisdiction.

State law reference—similar provisions, Code of Ala. 1975, § 11-52-33.

Section 105. Effect of Preliminary Plat Approval

Receipt of the approved copy of the preliminary plat by the subdivider is authorization, subject to the taking of proper permits and to the requirements for waivers as set forth in section 108 herein, to proceed with the construction of any improvements to the subdivision under the direction and supervision of the city engineer, and/or other supervisory personnel required by the city and subject to the approved plans and profiles and to proceed with the staking of streets and lots in preparation for the final plat.

Section 106. Effect of Final Approval

Receipt of the approved copy of the final plat by the subdivider is authorization to record the plat in the office of the probate judge of Winston County, to transfer lots in the subdivision, and to seek a building permit for structures to be erected on any lot. No building permit shall be issued on any structure in any subdivision that has not received final approval and been recorded in the office of the probate judge of Winston County, Alabama, with the exception of the issuance of building permits for the construction of sales models in planned development districts as approved by the Haleyville Planning Commission Haleyville Planning Commission. No building permit shall be issued for any structure in any subdivision that does not fully comply with these regulations.

Section 107. Covenants and Building Restrictions

No final plat of land within the force and effect of the zoning ordinance shall be approved unless the building restrictions to be established conform with the minimum requirements of the zoning ordinance. If the proposed subdivision does not lie within the force and effect of the zoning ordinance, the preliminary and final plat may be required to contain a statement of the allowable use of each lot and adequate covenants may be required to be recorded establishing use restrictions.

Section 108. Waivers, Variances and Exceptions

Whenever the tract to be subdivided is of such unusual size or shape or is surrounded by such development or unusual conditions that a strict application of the requirements contained in these regulations would result in a substantial hardship or injustice to the property owner, the Haleyville Planning Commission may vary or modify such requirements so that the subdivider is allowed to develop his property in a reasonable manner, but so,

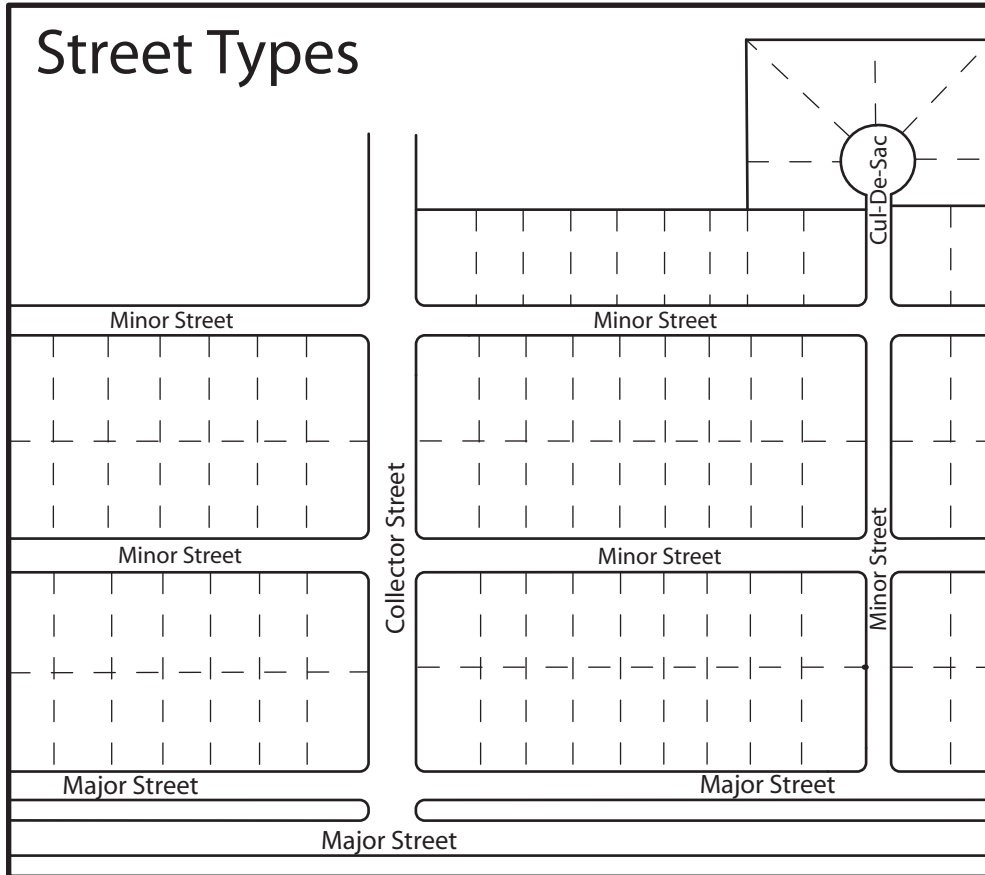


Figure 202-30

at the same time, the public welfare and interests of the city are protected and the general intent and spirit of these regulations are preserved.

No waiver, variation, or modification to these regulations shall be effective unless a specific written request is conspicuously noted on the preliminary plat submitted to the commission for approval and such waiver request is specifically approved by the affirmative vote of six members of the commission. Unless a waiver is requested and approved in this manner, it shall be deemed to have been denied by the commission.

In granting variances and modifications to these regulations, the Haleyville Planning Commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified. Any variance or modification thus authorized is required to be entered in writing in the minutes of the Haleyville Planning Commission and the reason that justified the departure to be set forth therein.

Section 109. Conflicts of Interest Prohibited

Under no circumstances shall a preliminary plat, final plat, plans and profiles of improvements, preliminary master subdivision plan, project inspection, or other materials or labor necessary for compliance with these regulations be prepared, submitted, signed, attested to, carried out or certified by a registered surveyor or registered professional engineer or by a firm, corporation or partnership engaged in the business of engineering and land surveying if that same individual, firm, corporation, or partnership is also employed by, is an official of, is on contract or retainer to the City of Haleyville, Alabama, for the purposes of engineering and/or land surveying.

In addition, any member of the Haleyville Planning Commission or any other planning employees of or technical planning consultants to the commission shall in no case review or enter into deliberations or voting on any matter in which they may have any conflict of interest whatsoever in regard to these regulations.

**Subdivision Regulations
City of Haleyville
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Article II. Definitions

Section 201. Usage

1. For the purpose of these regulations, certain abbreviations, terms, and words used herein shall be used, interpreted, and defined as set forth in this article.
2. A “person” includes a corporation, a partnership, and an incorporated association of persons such as a club; “shall” is always mandatory; a “building” includes a “structure”; a “building” or “structure” includes any part thereof; “used” or “occupied” as applied to any land or building shall be construed to include the words “intended, arranged, or designed to be used or occupied”.

Section 202. Definitions

1. *Accessory Structures* – These structures may be placed in side and rear yards, but shall not be placed in front yards.
2. *Adjoining Property Owner or Owners* – The individual owning property adjoining the tract of land proposed for subdivision development. If the owner of such adjoining property is a corporation, the term shall apply to the officers and agents of such corporation who shall be identified on preliminary plats as adjoining property owners. Owners of property located across streets, alleys, watercourses, drainage easements, and other rights-of-way adjoining the proposed subdivision are, for the purposes of this regulation, adjoining property owners and shall be so identified on all preliminary plats.
3. *Agriculture* – The use of land for agricultural purposes, including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, and animal and poultry husbandry, and the customary accessory uses.
4. *Alley* – A public right-of-way less than 25 feet in width designed to provide secondary access to the side or rear of properties whose principal frontage is on some other street.
5. *Approved Plat* – A plat conforming to the requirements of these regulations that has received the approval of the planning commission and has the signature of those officials authorized to sign the plat under the requirements of these regulations.
6. *Base Flood* – A flood event having a one percent chance of being equaled or

exceeded in any given year; i.e. the 100-year flood.

7. *Base Flood Elevation* – The crest elevation in relation to mean sea level expected to be reached by the base flood.
8. *Building* – A roofed structure built for the shelter, housing, or enclosure of persons or property.
9. *Building Line* – A line on a lot parallel to the street line representing the forward limit for the construction of the front wall of a building.
10. *City* – The City of Haleyville, Alabama.
11. *City Engineer* – The duly designated engineer of the City of Haleyville, Alabama.
12. *Developer* – The person, firm, or corporation who owns or controls a tract of land proposed for subdivision, and at whose direction plans and surveys for such subdivisions are prepared. The term “developer” also means “subdivider”.
13. *Engineer* – A registered professional engineer in good standing with the state board of registration in Alabama.
14. *Final Plat* – A finished drawing compiled in accordance with all of these regulations.
15. *Flood Hazard Boundary Map* – A map officially promulgated by the Federal Emergency Management Agency (formerly the Federal Insurance Administration) depicting the boundaries of flood hazard areas in the vicinity of Haleyville covering areas part or all of which extend beyond the area covered by the flood boundary and floodway map. Where two or more flood hazard boundary maps are extant, the one bearing the most recent date shall be considered official.
16. *Floodway* – The channel of a river, stream or other watercourse and the adjacent land areas which must be reserved in order to discharge the 100-year flood without cumulatively increasing the water surface elevation by more than one foot.
17. *Floodway Fringe* – That area of the flood plain lying outside the floodway but still subject to inundation by waters of the base flood.
18. *Lot* – A parcel of land intended for transfer of ownership or for building development, whether immediate or future.
19. *Lot, corner* – A lot abutting upon two or more streets at their intersection.
20. *Lot, through* – A lot other than a corner lot, abutting upon two or more streets.

21. *Lot Width* – The distance between the side lot lines measured at the building line.
22. *Major Street Plan* – The official plan of the planning commission showing the location of existing and planned roadways designed to serve the City of Haleyville and its environs.
23. *Manufactured Home* - The term “*manufactured Home*” shall be defined by the following regulations:
1. *A Manufactured Home shall be twenty-four feet or wide in distance at the shortest measurement of the structure. This measurement is to include only enclosed living areas and does not include garages, carports, out buildings, decks, driveways, patios or utility/storage areas.*
 2. *A Manufactured Home requires a building permit from the City of Haleyville, Alabama; A permit for sewage hook-up or septic tank from the appropriate authorities and an individual water meter for the residence.*
 3. *No Manufactured Home shall have axles, wheels, tires, trailer tongues, trail lights or license plates.*
 4. *All Manufactured Homes must conform to Local, County and State regulations as they pertain to new home construction.*
 5. *All Manufactured Homes will have masonry pinning, i.e. Brick or concrete block laid from the foundation to the first floor level.*
 6. *All Manufactured homes must have utilities hooked directly to the structure.*
 7. *All Manufactured homes must conform to any and all building restrictions for the areas they are to be located in.*
 8. *All Manufactured homes shall have permanent steps on all outside doorways.*
 9. *All requirements of these ordinances shall be completed in their entirety prior to the structure being occupied.*
 10. *All Manufactured homes will be treated as permanent structures and all City regulations pertaining to taxes, appraisals, etc. will apply equally to all homes.*
 11. *The roof shall have a minimum 3:12 roof pitch and shall have a surface of wood shingles, concrete, fiberglass or metal tiles, slate, built up gravel materials, or other materials approved by the building official.*
 12. *The exterior siding materials shall consist of wood, masonry, concrete, stucco, masonite, metal or vinyl lap or other materials of like appearance.*
 13. *The building official may approve deviations from one of more of the developmental or architectural standards provided herein or on the basis of a finding that the materials to be utilized or the architectural style proposed for the dwelling will be compatible and harmonious with existing structures in the vicinity.*
 14. *Manufactured homes shall be installed according to the manufacturer’s installation instructions when available or current regulations of the Alabama Manufactured Housing Commission.*
 15. *Manufactured homes shall be constructed according to standards established either by the State Minimum Standard Codes as amended from time to time or the Standard Building Code if locally adopted or the National Manufactured Housing*

Construction and Safety Standards Act of 1974.

24. *Master Plan* – The comprehensive plan of the City of Haleyville and environs duly adopted by the Haleyville Planning Commission.

25. *Mobile Home* - The term “mobile home” shall be construed to mean and include any structure intended for, or capable of, human habitation, mounted upon wheels and capable of being driven, propelled, or towed from place to place, by whatsoever name or title it is colloquially or commercially known. Removal of wheels and placing such a structure on the ground, piers, or other foundation, shall not remove such a structure from this definition. The term “Mobile Home” shall be defined by the following regulations:

1. A mobile home shall be twenty-four feet or less in distance at the shortest measurement of the structure. This measurement is to include only enclosed living areas and does not include garages, carports, out buildings, decks, driveways, patios or utility/storage areas.

2. A mobile home requires a building permit from the City of Haleyville, Alabama; A permit for sewage hook-up or septic tank from the appropriate authorities and an individual water meter for the residence.

3. No mobile home shall have axles, wheels, tires, trailer tongues, trail lights or license plates.

4. All mobile homes must conform to Local, County and State regulations as they pertain to new home construction.

5. All mobile homes will have masonry pinning, i.e. Brick or concrete block laid from the foundation to the first floor level.

6. All mobile homes must have utilities hooked directly to the structure.

7. All mobile homes must conform to any and all building restrictions for the areas they are to be located in.

8. All mobile homes shall have permanent steps on all outside doorways.

9. All requirements of these ordinances shall be completed in their entirety prior to the structure being occupied.

10. All mobile homes will be treated as permanent structures and all City regulations pertaining to taxes, appraisals, etc. will apply equally to all homes.

11. The mobile home shall have a surface of wood shingles, concrete, fiberglass or metal tiles, slate, built up gravel materials, or other materials approved by the building official.

12. The exterior siding materials shall consist of wood, masonry, concrete, stucco, masonite, metal or vinyl lap or other materials of like appearance.

13. The building official may approve deviations from one of more of the developmental or architectural standards provided herein or on the basis of a finding that the materials to be utilized or the architectural style proposed for the dwelling will be compatible and harmonious with existing structures in the vicinity.

14. Mobile homes shall be installed according to the manufacturer’s installation instructions.

15. Mobile homes shall be constructed according to standards established either by the State Minimum Standard Codes as amended from time to time or the Standard

Building Code if locally adopted or the National Manufactured Housing Construction and Safety Standards Act.

26. *Mobile Home Park* – A parcel of land under single management which has been planned and improved for the provisions of services for mobile homes. A mobile home park may not be platted or otherwise divided by fee simple ownership; however, the sale of interests or memberships on a condominium bases is permitted. All facilities and amenities, including roads, clubhouses or recreation facilities, and buffer yards are privately owned or owned in common by the visitors of the park.

27. *Planning Commission* – The Haleyville Planning Commission.

28. *Preliminary Plat or Proposed Development Plan* – A drawing of the proposed design of a subdivision compiled in accordance with all of the requirements of these regulations.

29. *Recreational Vehicle* - The term “recreational vehicle” shall be construed to mean and include any structure intended for, or capable of, human habitation, mounted upon wheels and capable of being driven, propelled, or towed from place to place, having a self contained septic system by whatsoever name or title it is colloquially or commercially known. Removal of wheels and placing such a structure on the ground, piers, or other foundation, shall not remove such a vehicle from this definition, provided that this definition shall not include transport trucks or vans equipped with a sleeping space for a driver or drivers. A mobile home shall not exceed 420 square feet in a mobile position.

30. *Recreational Vehicle Park* - A parcel of land under single management which has been planned and improved for the provisions of services for manufactured homes for transient use. A recreational vehicle park may not be platted or otherwise divided by fee simple ownership; however, the sale of interests or memberships on a condominium bases is permitted. All facilities and amenities, including roads, clubhouses or recreation facilities, and buffer yards are privately owned or owned in common by the visitors of the park.

31. *Street* – The entire platted or proposed public way for vehicular and pedestrian traffic, whether designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, lane, place, or however otherwise designated, excepting, however, an alley.

a. *Major Street or Arterial* – Those streets designated as such on the major street plan of the City of Haleyville, Alabama, or as may be determined necessary by the city. Such streets have a minimum right-of-way of 100 feet.

b. *Secondary Street or Collector Street* – A street supplementary to the major

street system and primarily a means of moving traffic between arterials and local system. Direct access to abutting properties is a secondary function and should be avoided. Collector street may be required for entrance roads for large subdivisions or as primary connections streets between adjoining development or properties. Secondary or collector streets shall have a minimum right-of-way of 80 feet.

- c. *Minor Street or Local Street* – A street primarily for access to abutting properties and as interconnection between abutting properties and other streets. Minor or local streets shall have a minimum right-of-way of 60 feet. Where curb and gutter is not provided and constructed through the variance procedure, the street shall have a minimum 80 feet of right-of-way.
 - d. *Cul-de-sac Streets* – Streets having no outlet at one end. Such streets shall have a minimum right-of-way width of 60 feet, excepting that the termination of the street shall have a minimum right-of-way radius of 60 feet and a paved turning radius of 40 feet.
32. *Subdivision* – The division of a lot, tract, or parcel of land into two or more lots, plots, sites, or other divisions of land, whether described by metes or bounds or by any other description, for the purpose, whether immediate or future, of sale or of building development. It includes mobile home parks, whether lots (spaces) are for rent or sale. It includes resubdivisions and, when appropriate to the context, relates to the process of subdividing the land or territory subdivided. Provided, however, that the following is not included within this definition:
- a. The parceling off or sale of tracts measuring five or more acres, for residential or agricultural use, or the parceling off or sale of tracts measuring 12 or more acres for non-agricultural use, provided that the property has thirty (30) feet access to a publicly dedicated and maintained road.
 - b. The parceling off or sale of plots in a cemetery intended for the burial of the dead.
 - c. The partitioning of a tract of land among heirs or claimants through a sale or division, when ordered by a court of competent jurisdiction.
 - d. The non-commercial conveyance by a property owner of one or more tracts of land to an immediate family member or a direct lineal descendant for the family member's bona fide personal use, and not for the purposes of resale or other development.
 - e. The conveyance of a portion of one property owner's previously unplatted land to an owner of directly abutting unplatted land, provided that no such conveyance shall reduce a parcel of land below the minimum area as required

by any agency with jurisdiction over that piece of property. Furthermore, the deed conveying said property must recite that the land conveyed is to form a homogenous part of the grantee's property, is not a separate building lot, and shall not be conveyed to a third party as a separate property unless and until it shall have been subdivided in accordance with applicable subdivision regulations.

- f. The conveyance of a tract of land of any size to a public utility, provided that the deed shall recite that the said tract shall be used solely as the site for a pumping station, potable water storage tank, transformer substation, switching facility, valve and/or metering facility, or other similar public utility service facility.
33. *Submission* – The presentation of a plat or plan, prepared in strict conformity to these regulations, the bylaws of the planning commission. The presentation of a plat or plan after the date required shall be termed an inappropriate submission by the planning commission. Likewise, a plat not in compliance in all aspects with plat requirements contained in these regulations shall be ruled an inappropriate submission by the Haleyville Planning Commission.
 34. *Surveyor* – A qualified, registered land surveyor in good standing with the state board of registration of Alabama.
 35. *Temporary Cul-de-sac* – A cul-de-sac to give access to future subdivisions adjoining the subdivision property. Such temporary cul-de-sacs shall have a minimum right-of-way radius of 60 feet and a paved turning area with a radius of at least 40 feet.
 36. *Townhouses* – A row of three or more dwellings flush against each other at the sides or attached at the sides by party walls, each unit of which is designed as a residence for one family.
 37. *Utilities* – Distribution system for water, gas, electric, telephone, cable and antenna system, and collection system for sanitary and storm sewer, where appropriate.
 38. *Variance* – An approved variation from the minimum standards required by these regulations. Such variances shall be approved only upon application as outlined in these regulations and upon a favorable vote of five members of the planning commission.
 39. *Zoning Ordinance* – The duly adopted comprehensive zoning ordinance and all amendments thereto as officially adopted by the Haleyville Planning Commission.

**Subdivision Regulations
City of Haleyville
Winston County, Alabama**

Article III. Submission; Approval Procedure; Plat Requirements

Section 301. Overall Procedures

To obtain approval of a proposed subdivision, the developer shall submit to the Haleyville Planning Commission a preliminary and final plat prepared by a registered land surveyor and plans and profiles of proposed improvements prepared by a registered engineer. No landowner or developer shall proceed with improvements or sale of subdivided land without the written approval of the Haleyville Planning Commission and receipt of necessary construction permits prescribed by the city engineer.

Section 302. Preliminary Master Subdivision Plan

A developer presenting a preliminary plat who owns, leases, or has options to purchase 20 or more acres of additional vacant land contiguous to, but not included in, said preliminary plat, shall also submit a preliminary master subdivision plan tentatively depicting the proposed future development of the additional land. Such a master subdivision plan is intended to assist the Haleyville Planning Commission in coordinating the phased development of large areas, and acceptance of the preliminary master subdivision plan by the Haleyville Planning Commission shall not be deemed equivalent to their granting preliminary plat approval of the entire development. As a minimum, the preliminary master subdivision plan shall contain an outline of the contiguous land from deed legal descriptions and shall show preliminary street and lot layout and areas to be reserved for public purposes. Said plan shall show topography of the adjacent land from existing topographic maps such as USGS quadrangle maps.

Section 303. Preliminary Plat Procedure

The subdivider shall submit four copies of the preliminary plat to the Haleyville Planning Commission at least 30 days prior to a regularly scheduled meeting of the Haleyville Planning Commission; otherwise, the proposed subdivision shall be considered at the next regularly scheduled meeting where the subdivider has complied with these deadline requirements.

The subdivider shall submit six copies of any requests for variances from any article or section of these regulations along with material to support his claim for relief from appropriate sections or articles.

To defray the costs of notifying interested parties of the preliminary plat, a fee established

by the city council shall be paid by the subdivider at the time of filing the preliminary plat.

The subdivider and the owners of the land immediately adjoining the proposed subdivision shall be given prior notice by mail at least seven days before the hearing on the preliminary plat, in accordance with the provisions of Code of Ala. 1975, § 11-52-32.

The Haleyville Planning Commission shall approve, approve conditionally, or disapprove such preliminary plat within 30 days after the appropriate submission thereof to it at its regular meeting unless the subdivider consents to an extension of this period. If approved conditionally, the conditions and reasons therefore shall be stated in the minutes of the Haleyville Planning Commission. If any of the requirements are modified or waived, the reasons for such shall be specified in the minutes of the Haleyville Planning Commission. If the Haleyville Planning Commission should disapprove the preliminary plat, the reasons for such action shall be stated in the minutes, and if possible, recommendations made on the basis of which the proposed subdivision would be approved. A preliminary plat that has been disapproved by the Haleyville Planning Commission shall not be reconsidered for a period of one year from the time of the ruling disapproving the plat, unless all such reasons for disapproval are removed in the resubmission.

The approval of a preliminary plat shall not be deemed as final acceptance, but rather an expression of approval of the layout as submitted on the preliminary plat, and shall allow the developer to proceed according to article I, section 105. Preliminary approval of a proposed subdivision shall lapse at the end of one year, unless the Haleyville Planning Commission grants an extension.

Section 304. Plans and Profiles of Improvements

Six sets of the plans and profiles of proposed improvements shall be presented to the city engineer, and to the Haleyville Planning Commission if requested by said commission, for review and approval prior to commencement of construction on the proposed subdivision.

The city engineer shall review all plans and profiles of subdivisions granted preliminary approval by the Haleyville Planning Commission within 30 days of the receipt of the plans, and notify the developer's engineer of discrepancies requiring correction. In the event that the Haleyville Planning Commission requests a copy of the plans and profiles for review and approval, a reasonable extension of the approval date shall be established by the Haleyville Planning Commission.

The plans and profiles shall conform to all applicable requirements of these regulations except those expressly waived by the Haleyville Planning Commission.

Section 305. Construction and Inspection of Improvements

Subdivision improvements shall be constructed under the supervision of an engineer employed by the developer. Construction of subdivision improvements may begin only after the plans and profiles have been approved and the developer has purchased construction permits from the City of Haleyville. The fees for such permits shall be as prescribed by ordinance. Quality control during construction shall be maintained by three means, as follows:

1. The developer shall employ a qualified testing laboratory to perform compaction tests on street subbase and base. The results of these tests may initially be reported to the engineer by any convenient means, but a written report must follow. The plans and profiles shall be submitted in a form and style acceptable to the city engineer and meeting the format established as standard by the city engineer.
2. The developer's engineer shall ensure that a qualified inspector, experienced in street, water main, and sewer construction, conducts an inspection not less frequently than once daily during construction of improvements. The inspector shall maintain a logbook of all inspections, which shall be furnished to the city engineer for review upon completion of construction.
3. The developer's engineer shall notify the city engineer before work begins on each of the following steps at least 24 hours in advance.
 - a. Clearing and grading.
 - b. Placing of subbase.
 - c. Laying of sanitary [sewer lines], storm pipe, water pipe.
 - d. Pouring curb and gutter.
 - e. Placing of base.
 - f. Putting down plant mix seal.

Upon completion of construction, six sets of as-built construction plans shall be delivered to the city engineer. These plans shall show all improvements as constructed, including the correct referenced locations and depths of all sanitary sewer stubs, wyes, manholes and water valves. As-built plans shall be tied to State Plane Coordinates.

Section 306. Final plat procedure

A final plat will be considered by the Haleyville Planning Commission once approval to all segments of the preliminary plat has been so certified by appropriate agencies. The subdivider shall file four copies of the final plat with the Chairman of the Haleyville Planning Commission at least 30 days prior to the date of the meeting of the Haleyville Planning Commission at which it is to be submitted and considered.

1. Approval or disapproval of the final plat shall take place within 30 days after the date of its appropriate submission to the Haleyville Planning Commission unless the subdivider agrees to an extension at that time. If the final plat is disapproved, the grounds for refusal shall be stated in the minutes of the Haleyville Planning Commission. The disapproval of a final plat carries with it the stipulation that it or another plat containing all or a portion of the property cannot be resubmitted for a minimum period of one year, unless all reasons for disapproval shall have been removed.
2. The Haleyville Planning Commission may give approval of the final plat at any of its meetings, however, final notification shall come only from the Chairman of the Haleyville Planning Commission when it has been deemed that all the requirements as set forth herein have been met. This final approval by the Haleyville Planning Commission shall be given on the face of the final plat and shall be given only after the signatures of all other agencies, except the county engineer, have been given. The county engineer's signature, if required, shall be given after all other approvals.
3. Approval of the final plat will not be given until the Haleyville Planning Commission is notified by the city engineer that either:
 - a. All required approved improvements have been installed and completed by the subdivider and all as-built plans submitted as required by rules or ordinance; or
 - b. A bond in an amount equal to 1 1/2 times the estimated cost of all such improvements and approved by the city engineer has been filed. In the event the only improvements remaining to be completed are surface paving and shoulder dressing, a bond will be acceptable with an individual, who is otherwise qualified, as surety thereon. In the event, however, required sewers, curb and gutter work, drainage structures, or base, have not been satisfactorily installed and completed, such bond shall be made with a surety company authorized to engage in the making of surety bonds in and by the State of Alabama. No permit for the construction of houses or housing units in the subdivision shall be issued until the Haleyville Planning Commission has given approval of the final plat, provided that a final plat for a PRD and MXD planned development prepared in accordance with the Haleyville zoning ordinance may be approved after the commencement of construction on housing units, if the preliminary plat was approved prior to construction and the final plat is substantially identical with the preliminary plat.
 - c. When application is made for final plat approval, the subdivider shall pay an additional fee to defray the expenses of investigation, hearing, and acting upon the final plat. Said fee shall be established by city council.
 - d. The final plat shall be filed for record in the office of the probate judge of Winston County along with any required restrictive covenants (if outside the

city limits). The city engineer and the Chairman of the Haleyville Planning Commission shall each be furnished with three prints of the final plat showing the probate judge's recording stamp and the plat book and page number where the final plat is recorded.

- e. In any case where a final plat differs substantially from the previously approved preliminary plat, in street layout or in the handling of surface water, drainage, or in lot size, then the Haleyville Planning Commission may require an additional preliminary submission either before or as a condition to approval of the final plat.
- f. Where the subdivider owns land adjacent to that shown on the final plat, drainage easements, or proposed easements, crossing said adjacent lands, necessary to serve the land in the final plat, shall be indicated on the preliminary plat and the Haleyville Planning Commission may require dedication of such easements, at the time of approval of the final plat.
- g. No streets will be accepted for maintenance by the City of Haleyville until the city engineer shall have approved the same and the acceptance thereof authorized by the city council in the form of a resolution.
- h. The subdivider, or contractor undertaking the construction work for the subdivider, shall file a bond with the city in an amount equal to ten percent of the construction costs of the subdivision improvements. Payment of the proceeds of such bond or any portion thereof shall be to the order of the city as directed by the city engineer for reimbursements of all costs incurred by or on behalf of the city necessary to maintain the streets, sanitary sewers, drainage structures and other improvements for a period of one year following the completion and acceptance of all the improvements in the subdivision by the city.
- i. The term "bond" as used in this section shall be deemed to include the deposit of cash with the city clerk in the appropriate amount required under this section; the delivery of a standby letter of credit in favor of the city issued by a financial institution licensed to do business in the State of Alabama, the form and substance of which is acceptable to the city attorney and city clerk and approved by the Haleyville Planning Commission and issued by a company authorized to issue surety bonds in the State of Alabama. Said bond shall also include such other forms of cash collateral or obligations of insurance companies as may be approved as to form and substance by the city attorney, city clerk and approved by the Haleyville Planning Commission from time to time.

Section 307. Resubdivisions and Small Subdivisions

In a case where an existing subdivision lot or lots is re-subdivided, and meets the requirements of the Haleyville Zoning Ordinance and these regulations for size, setbacks,

and other requirements, and no improvements are required, and presents no other design or engineering problems in the opinion of the city engineers and the Chairman of the Haleyville Planning Commission, the preliminary plat procedure may be omitted and the final plat procedure shall take effect, provided the petitioner has secured and presented to the Chairman of the Haleyville Planning Commission a written waiver of legal notice and hearing requirements from all adjoining property owners.

In a case where a small subdivision shall contain so few lots, and no other engineering problems, in the opinion of the city engineer and the Chairman of the Haleyville Planning Commission, the preliminary plat may be presented along with, and at the same time of, the final plat. All other procedures shall remain the same.

An existing subdivision to be resubdivided with three or fewer lots involved or a proposed new subdivision containing three or fewer lots may be approved by the city engineer and the Chairman of the Haleyville Planning Commission for immediate recordation as a final plat in the office of the probate judge of Winston County, provided that:

1. The subdivider has secured and presented to the Chairman of the Haleyville Planning Commission a written waiver of the legal notice and hearing requirements from all adjoining property owners;
2. The lots meet the minimum requirements of all applicable regulations with respect to lot area and widths;
3. The lots have frontage on an existing public street which substantially conforms to the requirements of these regulations;
4. The lots can be served by an existing sanitary sewer, or have been approved for on-site disposal by the health department;
5. No other engineering problems exist in the opinion of the city engineer; and
6. No public interest in a street, easement, or the like will be impaired or placed in doubt.

Section 308. Preliminary Plat Requirements

All preliminary plats presented to the Haleyville Planning Commission shall contain, as a minimum:

1. Name and address of owners and the designer of the plat. Said designer shall be a land surveyor registered to practice in the State of Alabama.
2. Names and addresses of current record (as per the tax assessor's records) of adjoining property owners, which shall include those across public rights-of-way, other rights-of-way, easements, creeks, etc.
3. Date of the plat, north arrow, scale of not less than one inch equals 100 feet, amount of acreage contained in the plat and a statement as to the remaining adjoining acreage the developer or subdivider owns, has an option on or leases.

4. Contours shall be shown at an interval of not more than five feet for slopes over five percent, and for slopes less than five percent contours shall be shown at an interval of not more than two feet. All contours shall be based on the true city elevation, which is the USGS-MSL datum. No assumed datum will be accepted. A note on the plat shall indicate which local B.M. was used.
5. Proposed lot layout showing the following:
 - a. Lot dimensions, building lines and back and side setback lines and lot and block numbers and proposed street names
 - b. Rights-of-way, easements, alleys, location and proposed widths
 - c. Proposed subdivision boundaries, with dimensions and tie to nearest government monument, with description of monument
 - d. Any pertinent topographic features existing on the site
 - e. Proposed storm drains, sanitary sewers with approximate sizes and design data
 - f. Location and dimensions of existing storm and sanitary sewers
 - g. A statement as to the current and proposed zoning (if applicable)
 - h. A vicinity sketch showing location of proposed site in relation to existing major streets, etc.
 - i. Erosion control measures to be used during construction of the subdivision as required by Article XI
 - j. Width of all proposed paving in the proposed project from back to back of curb
 - k. Proposed location of “stop,” “yield” and other traffic control signs and devices to be installed. If the proposed subdivision abuts an existing street, the location of any intersecting streets on the other side abutting street shall be depicted
 - l. Evidence from the appropriate governing body (state, county, federal, or city) that the proposed subdivision has access over a publicly dedicated and maintained street or road
 - m. The names, locations, widths, and other dimensions of existing or proposed parks, playgrounds, open spaces or other public property
 - n. The locations of existing and proposed property lines and existing buildings, watercourses, railroads, power lines, bridges, culverts, and drainpipes on the land to be subdivided and immediately adjoining land
 - o. Street cross-section, showing proposed construction and statements concerning type of material to be used in construction
 - p. Location of proposed sidewalks

- q. If any portion of the land included in, or immediately adjacent to, the proposed subdivision is located within the floodway or the 100-year flood boundary of a stream or river, as depicted on the flood boundary and floodway map, or is located in a special flood hazard area, as depicted on a flood hazard boundary map, then such floodway, boundary, or flood hazard area shall be indicated on the preliminary plat as accurately as possible.

Section 309. Plans and Profile Requirements

Construction drawings of proposed improvements shall include plans and profiles of proposed streets, sanitary sewers, and drainage structures and shall be prepared by a registered professional engineer. Street design shall conform to the provisions of these regulations and such other specifications as may be promulgated by the city engineer. The plans and profiles of sanitary sewers shall include sufficient data to insure that the sewers have been designed in accordance with these subdivision regulations. The plans and profiles of drainage features shall contain sufficient data, including calculations of pipe diameters, runoff velocity in open gutters, and downstream erosion to permit the city engineer to verify the design's conformity to the provisions of these regulations.

Section 310. Final Plat Requirements

The final plat shall be an original drawing on mylar or other high quality reproducible material and shall be tied to an accepted corner based on the U.S. Government Survey. This plat shall also show the following:

1. Tract boundary lines, right-of-way lines of streets, easements, and other rights-of-way, and property lines of lots, with accurate dimensions, bearings, or deflection angles, radii, arcs, central angles of all curves, front building lines and rear and side setback lines.
2. Name, number and right-of-way of each street and other right-of-way.
3. Locations, dimensions, and purposes of any easements.
4. Number to identify each lot or building site and the approved street name or number and street address of each lot.
5. Purpose for which sites, other than residential lots, are dedicated or reserved, it being understood that any reservations of areas for other than residential purposes shall be subject to the proper zoning thereof or being restricted by covenants.
6. Location of monuments.
7. Reference to recorded subdivision plats of adjoining platted land by plat book and page number.
8. Title, graphic scale, north arrow, name and registration number of subdivision engineer, and date, together with the quarter section or quarter sections in which the subdivision is located and the total acres in the subdivision acres in the platted

lots.

9. Space for the approval of the city engineer and the Chairman of the Haleyville Planning Commission, county engineer , if required, and, if either is involved, the park and recreation authority, the board of education or the county health department.
10. Certificates and acknowledgements for designer and owner as required in Code of Ala. 1975, § 35-2-51.
11. Final plat shall be drawn on a scale of not less than one inch equals 100 feet. Size shall be such that the plat will be suitable for recording in the probate office of Winston County, Alabama. The scale of one-inch equals 100 feet, if in the opinion of the city engineer is not practical, may be reduced but in no case shall the scale be less than one inch equals 200 feet.
12. A statement to the fact that the plat designer has closed each lot or parcel and that each lot or parcel mathematically closes to a closure of not less than one to 5,000.
13. Proper identification and notations of any areas subject to flood as required by article XII of these regulations. The developer's engineer [is] to include a statement on the plat if none of the development is located in a flood hazard area.
14. A statement of the allowable use of each lot in the subdivision and four copies of restrictive covenants for approval by the planning commission to insure said use(s) of each lot, if required by the planning commission.
15. A certified statement by the subdivider's engineer that the improvements within this development were constructed in accordance with the approved plans and specifications, and meet the minimum requirements of the City of Haleyville.
16. The subdivider's engineer must submit in writing to the city engineer the actual cost of all infrastructures within the subdivision. The cost must be broken down by roadway cost (including curb and gutter and sidewalks), water system cost, sanitary sewer cost, and storm sewer cost. These costs must be certified as being true and accurate.

**Subdivision Regulations
City of Haleyville
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Article IV. Subdivision Design Principles

Section 401. General Suitability of Land

Land subject to flooding, improper drainage, or severe erosion or that is for topographical or other reasons unsuitable for residential use, and where such problems cannot be solved by sound engineering design shall not be platted for residential use, nor for any other use that will continue or increase the danger to health, safety, or property destruction.

Section 402. Conformity to Comprehensive Plan

All proposed subdivisions shall conform to any city, county, or regional plan and to the city zoning ordinance. Whenever a tract to be subdivided embraces any part of a highway, major street, secondary street, or parkway, so designated on any city, county, or regional plan, such part of such proposed public way shall be platted by the subdivider in the same location and at the same or greater width as indicated on such city, county, or regional plan.

When features of other plans adopted by the planning and zoning commission (such as schools or other public building sites, parks, or other land for public uses) are located in whole or in part in a land subdivision, such features shall be either dedicated or reserved by the subdivider for acquisition within 18 months by the appropriate public agency.

Whenever a plat proposes the dedication of land to public use that the planning and zoning commission finds not suitable for such public use, the planning and zoning commission shall refuse to approve the plat, and shall notify the governing body or the appropriate public agency of the reasons for such action.

Section 403. Name of Subdivision and Streets

The name of any subdivision in the jurisdiction of the planning and zoning commission, or the name of any street in any subdivision, must be approved by the planning and zoning commission, which shall have the sole authority over such names. Subdivision names, or the names of streets in subdivisions, shall not duplicate nor closely approximate the name of any other existing subdivision or street in the planning and zoning commission jurisdiction. Streets that are continuations of existing streets shall bear the same name or number as the existing street.

Section 404. Subdivisions to have Public Access

Access to every subdivision, or part thereof, shall be provided over a public street, road or highway which has been dedicated to the public and has been accepted for maintenance by resolution of the appropriate governing body and shall have a right-of-way width of not less than 50 feet.

Section 405. Reservation for Public Use

In addition to section 402, the planning and zoning commission shall have the authority to request the dedication or to require the reservation of up to ten percent of the total land area of any subdivision plan, if the planning and zoning commission deems such land necessary and appropriate to fulfill the purposes and intent of these regulations. Said dedication or reservation of land for public use shall be of suitable size, dimension, topography, and general character and shall have adequate public access, for the particular purposes envisioned by the planning and zoning commission. Said dedication or reservation of land in the facilities and the final plat shall be marked in the reserved or dedicated area, as follows and when appropriate, "Reserved for (recreation, education, fire protection, etc.) purposes." In the event that reservation of land is required the city or the appropriate public agency shall have 18 months to acquire said reserved site, after which the reservation shall expire. The subdivider shall make a bona fide attempt to sell such reserved site to the city or the appropriate public agency during the period of reservation and the planning and zoning commission shall deny approval of any portion of the subdivision included in such site for the 18-month period of reservation. In the case of optional dedication of land for public use, said dedication shall occur simultaneous to the dedication of other public uses in the subdivision, such as streets and easement. The planning and zoning commission, subject to the limitations of the zoning ordinance, may allow lot size reductions in a subdivision in exchange for dedication of such site; provided, that all resultant lot sizes constitute viable building sites when stated building setback requirements are met.

Section 406. Landscaping and Screening Requirements

For the purpose of this section, the terms listed below are defined as indicated:

1. *Screening* - A barrier of natural or manmade nature that presents a visual obstacle to the eye. Screens may consist of, but are not limited to, any combination of the following: walls, fences, bushes, trees, hedges, shrubs, and earthen berms.
2. *Buildable Area* - That part of the building lot not occupied by improvements (covered by buildings, driveways, walks, swimming pools, patios, etc. or containing overhead or underground obstacles such as power service lines or septic fields lines), or projected improvements to the property; easements for access, storm sewers, drainage facilities, or utilities; and located behind the minimum building line and inside the rear and side setback line.

3. *Owner* - Any person or business, including the developer, who has legal title to a lot and who builds or causes to have built a dwelling unit on the property.

The following provisions shall apply to all developments in the City of Haleyville and its planning jurisdiction.

1. Screening shall be required for all new developments including residential subdivision, apartment complexes, commercial and industrial developments, at locations at which unlike land uses abut the proposed development. In particular, screening shall be provided as buffers whenever new group developments, new commercial, and new industrial developments abut single-family residential and whenever new group and single-family residential developments abut existing commercial and industrial districts. Screens of manmade materials shall be at least eight feet high. Screens of living materials shall be at least a height of five feet and of a variety that would normally be expected to grow to a height of eight feet and present a visual barrier within five years after planting. All such landscaping/screening shall be placed outside (behind) the utility and street right-of-way boundary in order to prevent the necessity of their removal at a later date.
2. Developers shall attempt to preserve outside the buildable area of each lot at least one sound and healthy hardwood tree four or more inches in diameter (measured at a point three feet above the natural ground) per 3,000 square feet of developed land outside the buildable area. Whenever this guideline cannot be followed or where no such trees exist, trees or shrubs shall be planted outside the buildable area of each lot at the rate of at least one tree (at least five feet high or three years old) or shrub per 3,000 square feet of land unless the owner as defined in this section expresses by written statement to the secretary of the planning and zoning commission that he/she does not want any or only part of the required trees or shrubs planted. If trees or shrubs are to be planted, the owner or builder may elect to wait until the dormant season for the vegetation to be planted in order to improve the livability of the vegetation.
3. Landscaping plans will be provided along with subdivision plats and site plans for the review and recommendations of the planning and zoning commission secretary prior to submission and approval by the planning and zoning commission. In cases where owners of the subdivision will develop and build all of the homes within the subdivision, the landscaping plan will identify location of trees or shrubs to be planted, provided that the dwelling owner shall have all of the rights to determine whether or not to plant trees on a specific lot as any other person as provided in paragraph B above.
4. Final subdivision plats and site plans shall have indicated thereon all building setback lines (front, sides, and rear). Also, the recorded plat will contain a statement similar to the following: "Each lot shall meet the landscaping requirements of section 406 of the subdivision regulations of the City of Haleyville."

**Subdivision Regulations
City of Haleyville
Winston County, Alabama**

Article V. General Requirements for Streets, Rights-of-Way, and Easements

Section 501. Continuation of Existing Street

Existing streets shall be continued at the same or greater width, but in no case less than the required width of right-of-way and pavement specified in these regulations.

Section 502. Street Jogs

Street jogs with centerline offsets of less than 150 feet shall not be permitted.

Section 503. Cul-de-sacs

Except by variance where topographic or other conditions make a greater length unavoidable, cul-de-sacs shall not be greater in length than 600 feet. They shall be provided at the closed end with a turnaround having a property line radius of at least 60 feet with an outside pavement radius of at least 40 feet.

Section 504. Development along Major Street, Limited Access Highway or Railroad Right-of-Way

Where a subdivision abuts or contains a major street, a limited access highway, or a railroad right-of-way, the Haleyville Planning Commission may require a street approximately parallel to and on each side of such right-of-way either as a marginal access street or at a suitable distance for an appropriate use of the intervening land. Due regard should be given requirements for approach grades and future grade separations in determining distances. Lots shall have no direct access to major streets (or limited access highway), but only to access streets. No-access reserve strips may be required, and insured by adequate covenants.

Section 505. Alleys

Alleys may be required at the rear of all lots used for multifamily, commercial, or industrial developments but shall not be provided in one- and two-family residential developments unless the subdivider provides evidence satisfactory to the Haleyville Planning Commission of the need for alleys. All alleys shall be a minimum of 20 feet in width, and shall be paved to the full width.

Section 506. Reserve Strips

Reserve strips controlling access to street, alleys, and public grounds shall not be permitted unless their control is placed in the hands of the governing body, under conditions approved by the governing body.

Section 507. Easements

Easements having a minimum width of 20 feet and located along the side or rear lot lines shall be provided as required for utility lines, and underground mains and cables. Storm drainage easements, including off-site easements, will be required when necessary for the control of surface drainage. Each final plat shall contain the following marginal note:

Note: All easements shown on this plat are for public utilities, sanitary sewers, storm sewers, and storm ditches and may be used for such purposes to serve property both within and without this subdivision. No permanent structure or other obstruction shall be located within the limits of a dedicated easement.

Where a subdivision is traversed by a watercourse, drainageway, channel or stream, there shall be provided a storm water or drainage right-of-way of adequate width. Parallel streets may be required by the Haleyville Planning Commission in connection therewith.

Section 508. Half streets

Half streets shall be prohibited, except where essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations; and where the Haleyville Planning Commission finds it will be practical to require dedications of the other half when the adjoining property is subdivided. Whenever such is the case, a half street shall be platted within such tract.

Section 509. Surface Drainage

All lots shall be graded to provide a continuous fall away from buildings without ponding. Due regard shall be given to the accumulative effect of the storm drainage plan so that no portion of the subdivision or adjoining property is damaged or adversely affected. The city engineer shall approve the grading plan. Care shall be taken in grading and drainage planning to ensure proper drainage will be provided after the subdivision is fully developed.

**Subdivision Regulations
City of Haleyville
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Article VI. Minimum Design Requirements for Streets

Section 601. Street Right-of-Way Widths

The right-of-way width shall be the distance across a street from property line to property line. Minimum street right-of-way widths shall be as follows:

1. Major street width as shown on the major street plan, 100 feet minimum.
2. Collector streets, 80 feet minimum.
3. Minor streets and dead-end streets, **60 feet, if built according to Figure I [Figure I appears after section 609] and 80 feet if built according to section 616, Figure II [Figure II appears after section 617].
4. Alleys, 20 feet.

The rights-of-way shall be graded to their full width so as to produce proper drainage, a pleasing appearance, reasonable grades for driveways, and where required, a sidewalk grade substantially on the same elevation as the top of the curb. The minimum slope shall be one-fourth inch per foot and the maximum slope shall be one inch per foot.

Where the periphery of a proposed subdivision abuts an existing street which is not improved substantially in accordance with these regulations, the developer shall install curb and gutter and shall perform all grading and drainage work otherwise required on that half of the said street which directly abuts his subdivision, provided however that such half-street improvement shall produce a street with a total paving width of not less than 21 feet. The Haleyville Planning Commission may amend or waive this requirement where peculiarities of terrain or other circumstances so dictate. (We are to determine the gutter type to be used at some point)

Section 602. Street Pavement Width

Street pavement widths shall be from back of curb to back of curb and shall be as follows:

1. Major street, as shown on the major street plan.
2. Collector streets, 40 feet.
3. Minor streets and dead-end streets, 31 feet.
4. Alleys, 20 feet.

Section 603. Street Grades

Maximum or minimum street grades shall be as follows, with no grades exceeding the maximum for any length of street except by variance of the Haleyville Planning Commission:

1. Major streets, not in excess of seven percent.
2. Collector streets, not in excess of 12 percent.
3. Minor streets and dead-end streets and alleys, not in excess of 15 percent.
4. No street grade shall be less than one-half of one percent.

Section 604. Horizontal Curvature

The minimum radii of centerline curvature shall be as follows:

1. Major streets, as indicated on the major street plan, but in no case less than 800 feet.
2. Collector streets, 600 feet.
3. Minor street, 300 feet.
4. Cul-de-sacs, 200 feet.
5. As necessary to meet the minimum sight distance listed in section 605.

Section 605. Vertical Alignment

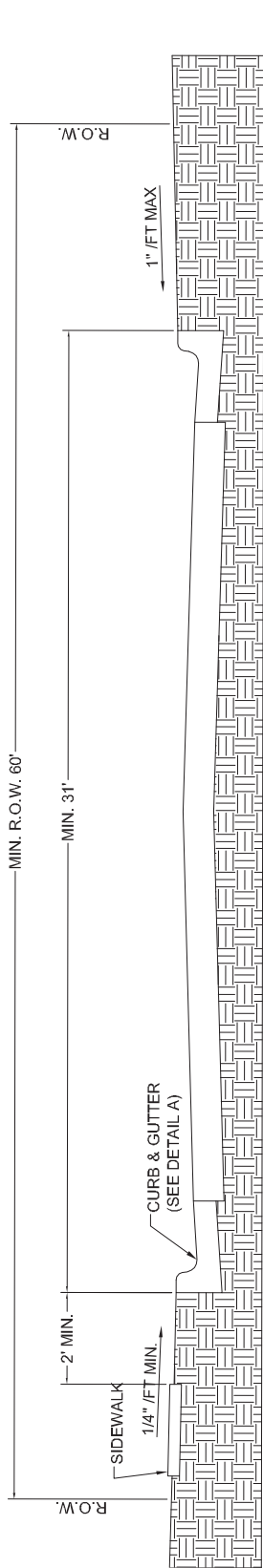
Vertical alignment shall be such that the following minimum stopping and corner sight distances are met. Stopping sight distance shall be determined using a height of eye of 3.5 feet and 0.5 foot object height. The corner sight distance shall be determined using a height of eye of 3.5 feet and 4.25 feet object height:

	Sight Distance	
	<u>Stopping (feet)</u>	<u>Corner (feet)</u>
Major Streets	600	600
Collector Streets	300	300
Cul-de-sac Streets	200	200

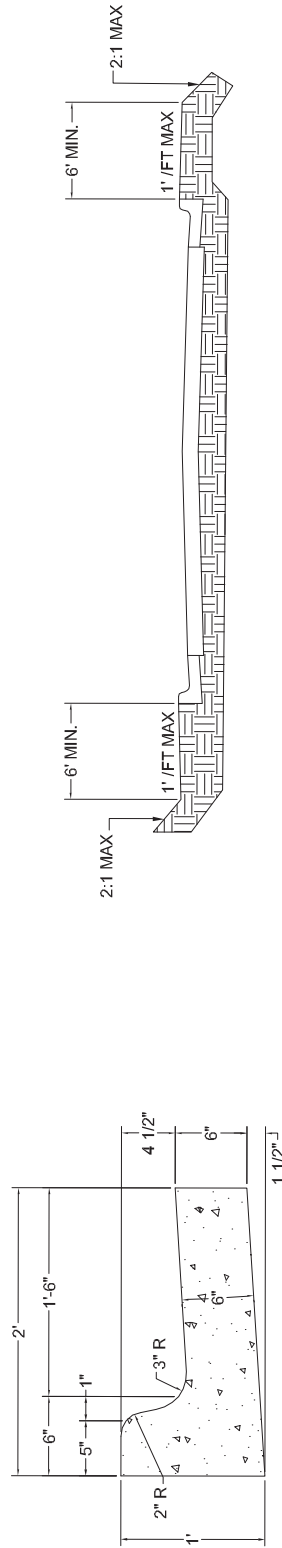
Section 606. Stub Streets

Where a proposed subdivision abuts unplatted land, the developer shall provide streets stubbed out to the adjoining tract at intervals between 400 feet and 1,200 feet. Such streets shall be located at points where the topography of the adjoining unplatted land will permit their future extension with reasonable ease. Such stub streets shall be paved by the developer to the boundary of the unplatted land unless the Haleyville Planning Commission for reasons of storm drainage, preventing erosion, or other practical considerations, expressly waives this requirement. A stub street that provides the sole access to more than two lots shall be terminated by a temporary cul-de-sac turnaround

FIGURE I



1 TYPICAL STREET SECTION (WITH CURB AND GUTTER)
NO SCALE



1 ASYMMETRICAL CROWN
NO SCALE

NOTE: ALLOWED ON SIDEHILL CUT ONLY WITH APPROVAL OF CITY ENGINEER.

1 DETAIL "A"
NO SCALE

with a paved radius not less than 40 feet. A developer extending an existing stub street shall remove the turnaround and extend the existing street profile as appropriate.

Section 607. Street Intersections

Street intersections shall be as nearly at right angles as possible. No street intersections shall be at an angle of less than 70 degrees, unless required by unusual circumstances and approved by the Haleyville Planning Commission. Intersections of local streets with major streets shall be minimized.

Section 608. Curblineline Radius

The curblineline radius at street intersections shall be at least 25 feet. Where the angle of street intersections is less than 90 degrees, the city engineer may require a longer radius.

Section 609. Cross Section

All local streets (except alternate streets by variance for remote subdivisions, section 617) shall be paved and improved in accordance with Figure I on the following page. All other streets shall be built, paved and improved according to article VI standards and in accordance with cross sections prepared by the subdivider's engineer and approved by the city engineer and Haleyville Planning Commission.

Section 610. Subgrade

All subgrade shall be cut to the grade as shown on the plan and profile. Subgrade shall be compacted to 95 percent Standard Proctor Density and a test shall be made by a testing agency satisfactory to the city engineer on all fill sections. Additional tests shall be performed at the rate of not less than one test per 500 linear feet of street. A copy of the lab report shall be submitted to the city engineer.

Section 611. Curb and Gutter

All streets developed within the City of Haleyville and its police jurisdiction shall be provided with concrete curb and gutters. These shall have a 24-inch section, with an 18-inch gutter and a six-inch curb. This section shall be 12 inches high in back and six inches in front. All curbs and gutters shall be constructed of concrete having a 28-day strength of not less than 2,500 psi. Strength tests shall be performed by a testing agency and a copy of the lab report shall be submitted to the city engineer.

Section 612. Base Material

All collector and major streets shall have a minimum of ten inches of crushed aggregate base. All minor streets, cul-de-sacs and alleys shall have a minimum of six inches of crushed aggregate base. Sand clay gravel base course material shall meet the requirements of AHD 823 type A with the following exceptions: the maximum percent (percentage of) clay

may be 28 percent and the maximum plastic index may be nine percent. The base shall be compacted to 100 percent standard proctor density with a moisture content of plus or minus two percent optimum moisture. Compaction test shall be made by a testing agency satisfactory to the city engineer at a rate of not less than one test per street plus one test per 500 linear feet of street. Prime coat meeting the requirements of AHD 401 shall be immediately placed upon the base course to protect from drying or inclement weather. A copy of the lab report shall be submitted to the city engineer.

Section 613. Paving

All collector and major streets shall be paved with two courses of asphalt plant mix seal at a rate of 150 pounds per square yard first course and 175 pounds per square yard finish course. All minor streets, cul-de-sacs and alleys shall be paved with two courses of asphalt plant mix seal at a minimum rate of 150 pounds per square yard each. Asphalt plant mix seal shall meet the requirement of ALDOT 429A.

Section 614. Sidewalks

The subdivider shall install a sidewalk on at least one side of each local, minor street and on both sides of a collector or major street. However, the Haleyville Planning Commission may waive the requirement for a sidewalk on both sides of a collector or major street where it is determined that an undue hardship will exist or it is deemed not practical.

All sidewalks shall be a minimum of four feet in width, four inches in thickness, of 3,000 pounds concrete, and conforming to the concrete specifications of the city engineer. Each sidewalk shall have a minimum lateral drainage slope of one-fourth inch per foot. Curb ramps shall be provided at all intersections to meet ADA requirements. A median strip of grassed or landscaped areas at least two feet wide shall separate all sidewalks from adjacent curbs.

Section 615. Traffic and Street Signs

The subdivider shall install at cost of the developer stop signs, yield signs, stop lines, yield lines and other necessary traffic control signs and devices as shown on the approved preliminary plat. All such signs shall be in compliance with latest version of the Manual on Uniform Traffic Control Devices. The city engineer shall review and comment on the proposed location, appropriateness, need, type and number of traffic signs and devices shown on the preliminary plat prior to approval by the Haleyville Planning Commission.

Section 616. Underground Utilities

When installed underground, electrical cables may be direct-buried or installed in conduit, provided that any such cable placed under the pavement if a public street shall be installed in conduit. Underground electrical cable shall be stubbed out at each street intersection so as to facilitate provision of streetlights.

Section 617. Alternate Street, by Variance, for Remote Subdivisions

If, in the opinion of the Haleyville Planning Commission, the requirements of this article for curb and gutter streets with plant mix seal are not justified within the police jurisdiction due to the subdivision's remoteness from the city limits, and the subdivision is in such an area that the Haleyville Planning Commission feels will not be annexed within ten years then this requirement may be waived upon written request for a variance by the subdivider. However, the following will be required as a minimum street in lieu of the above:

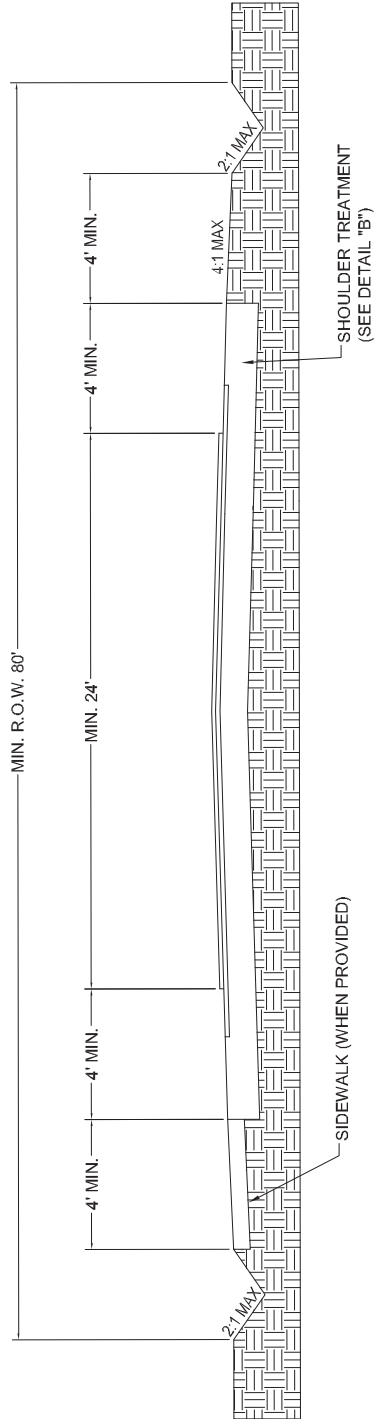
1. Rights-of-way shall be a minimum of 80 feet.
2. Roadway pavement shall be a minimum of 24 feet with four-foot shoulders on each side. Shoulders shall be primed.
3. Paving shall consist of double surface asphalt treatment, type AKG, with plant mix seal optional, at the discretion of the Haleyville Planning Commission.
4. Grades of over 12 percent shall require paved ditches or curbs and gutters.
5. Ditch sections shall be provided at the edge of the shoulders.

All local streets built under this section shall be paved and improved according to Figure II on the following page. Streets other than local streets shall be paved and improved according to Article VI standards in accordance with cross sections prepared by the subdivider's engineer and approved by the city engineer and the Haleyville Planning Commission.

Section 618. Half-Street Improvements

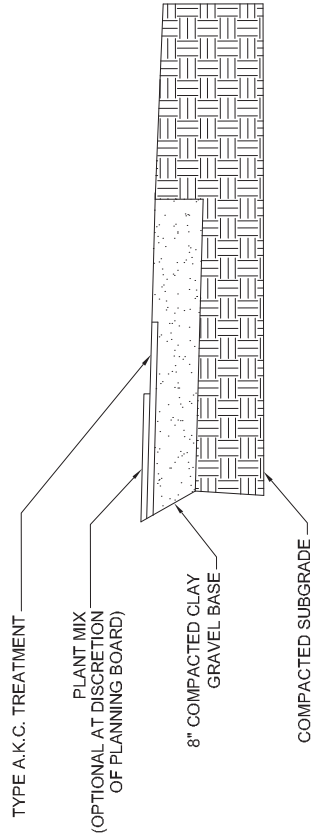
Where the periphery of a proposed subdivision abuts an existing street which is not improved substantially in accordance with these regulations, the developer shall install curb and gutter and shall perform all grading and drainage work otherwise required on that half of the said street which directly abuts his subdivision, provided however that such half-street improvements shall produce a half street with a total paving width of not less than 24 feet (see Figure III). The Haleyville Planning Commission may amend or waive this requirement where peculiarities of terrain or other circumstances so dictate.

FIGURE II



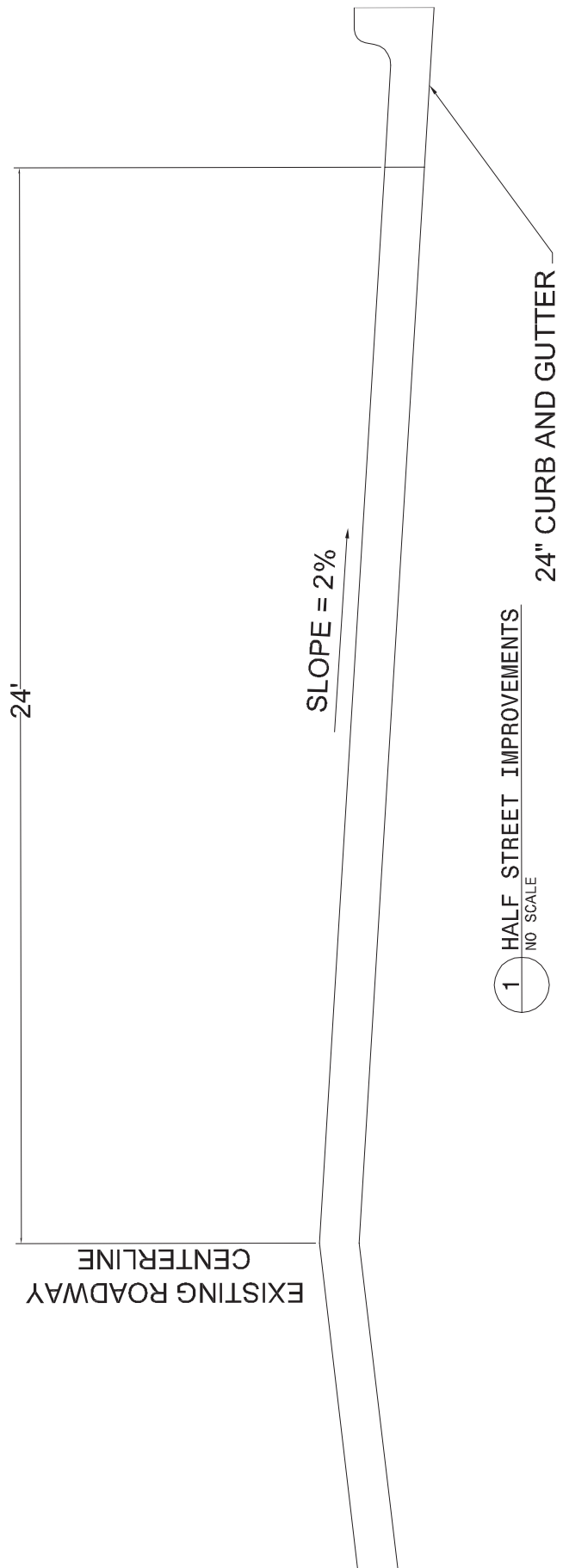
1 TYPICAL STREET SECTION (WITHOUT CURB AND GUTTER)
NO SCALE

NOTE: ALLOWED ONLY BY VARIANCE OF THE PLANNING AND ZONING BOARD



1 DETAIL "B" (TYP. SHOULDER TREATMENT WITHOUT CURB AND GUTTER)
NO SCALE

FIGURE III



**Subdivision Regulations
City of Haleyville
Winston County, Alabama**

Article VII. Design Standards for Lots and Blocks

Section 701. Block Lengths and Widths

Block lengths and widths shall be as follows:

1. Blocks shall be no greater than 1,200 feet nor less than 400 feet in length, except in unusual circumstances, and approved by variance by the Haleyville Planning Commission (see Figure IV.).
2. Blocks shall be wide enough to provide two tiers of lots of minimum depth, except where abutting upon major streets, limited access highways, or railroads or where other situations make this requirement impractical (see Figure V).

Section 702. Lot Sizes

Lots in the city limits shall meet the lot width and lot area requirements of the zoning ordinance. In those areas outside of the force and effect of the zoning ordinance, lots shall be no less than 75 feet wide at the building line, and contain no less than 9,000 square feet. Front building lines shall be no less than 30 feet (see Figure VI).

Lots shall have a depth of not less than 100 feet and not greater than five times the width of the lot at the building line, unless unusual circumstances make these limitations not practical and a variance is granted by the planning commission (see Figure VI).

Where individual septic tanks are allowed, the Winston County health officer may prescribe minimum lot sizes greater than the sizes specified herein to conform to health standards.

Commercial and industrial lots outside of the city limits shall be adequate to provide service areas and off-street parking suitable to the use intended, but in no case less than the standards specified above.

Corner lots shall have adequate width to meet building setback requirements from both abutting streets. Minimum front setbacks shall be established on both frontages.

Lots outside the city limits shall have a minimum side yard setback of 12 feet and a minimum rear yard setback of 40 feet (see also section 707). Lots in the city limits shall comply with zoning ordinance requirements (see Figure VII).

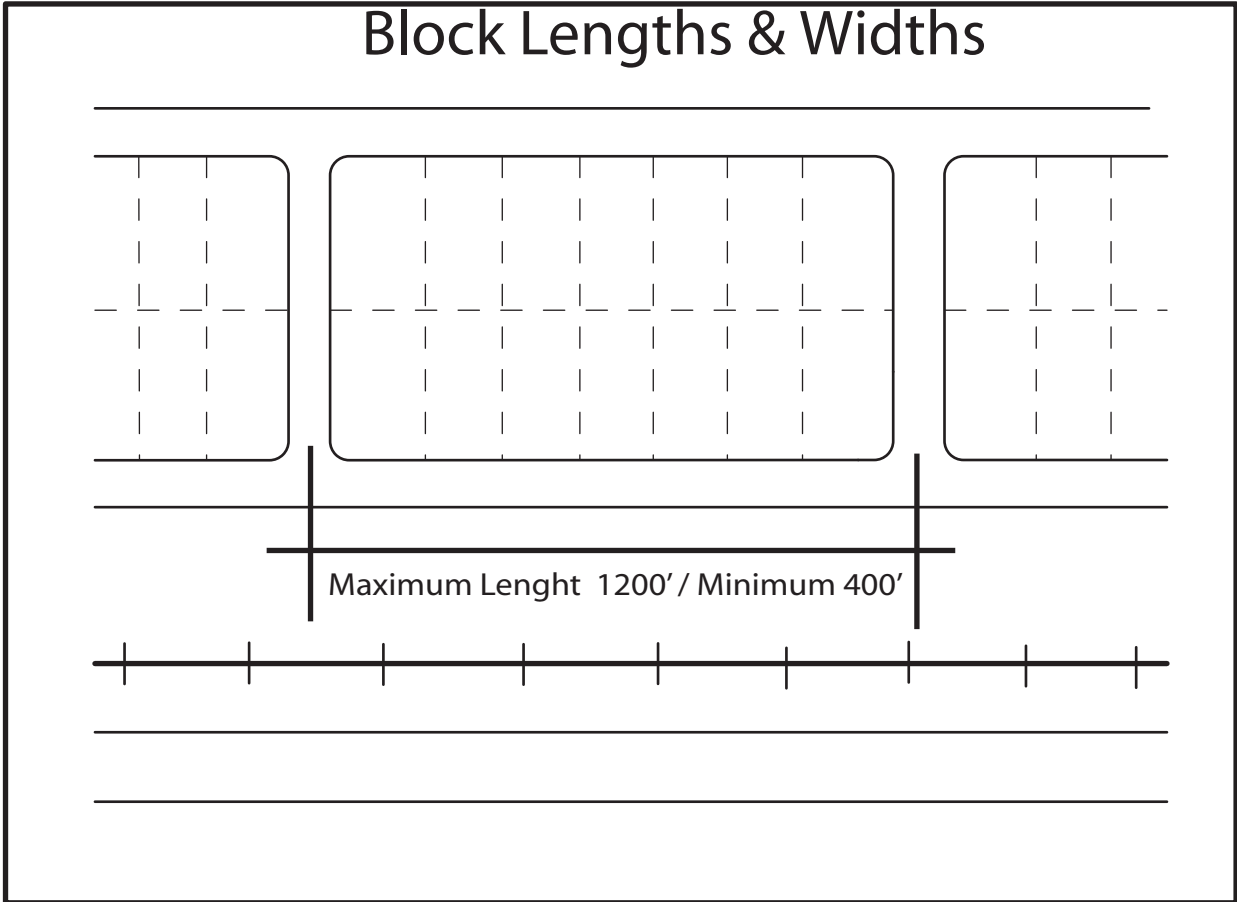


Figure IV.

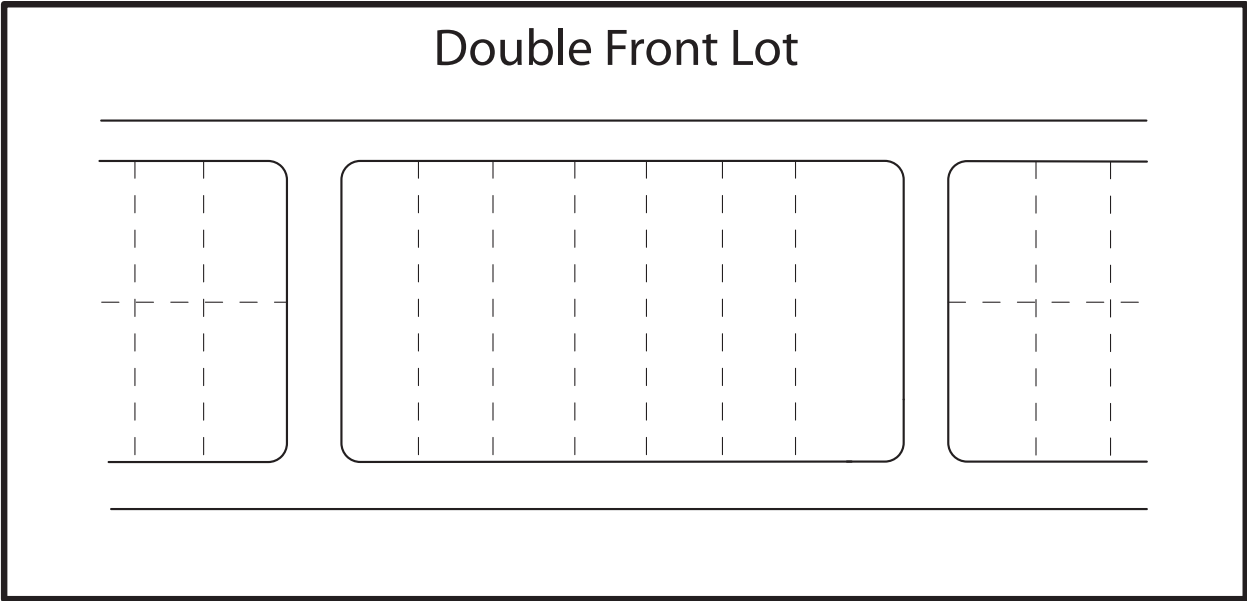


Figure V.

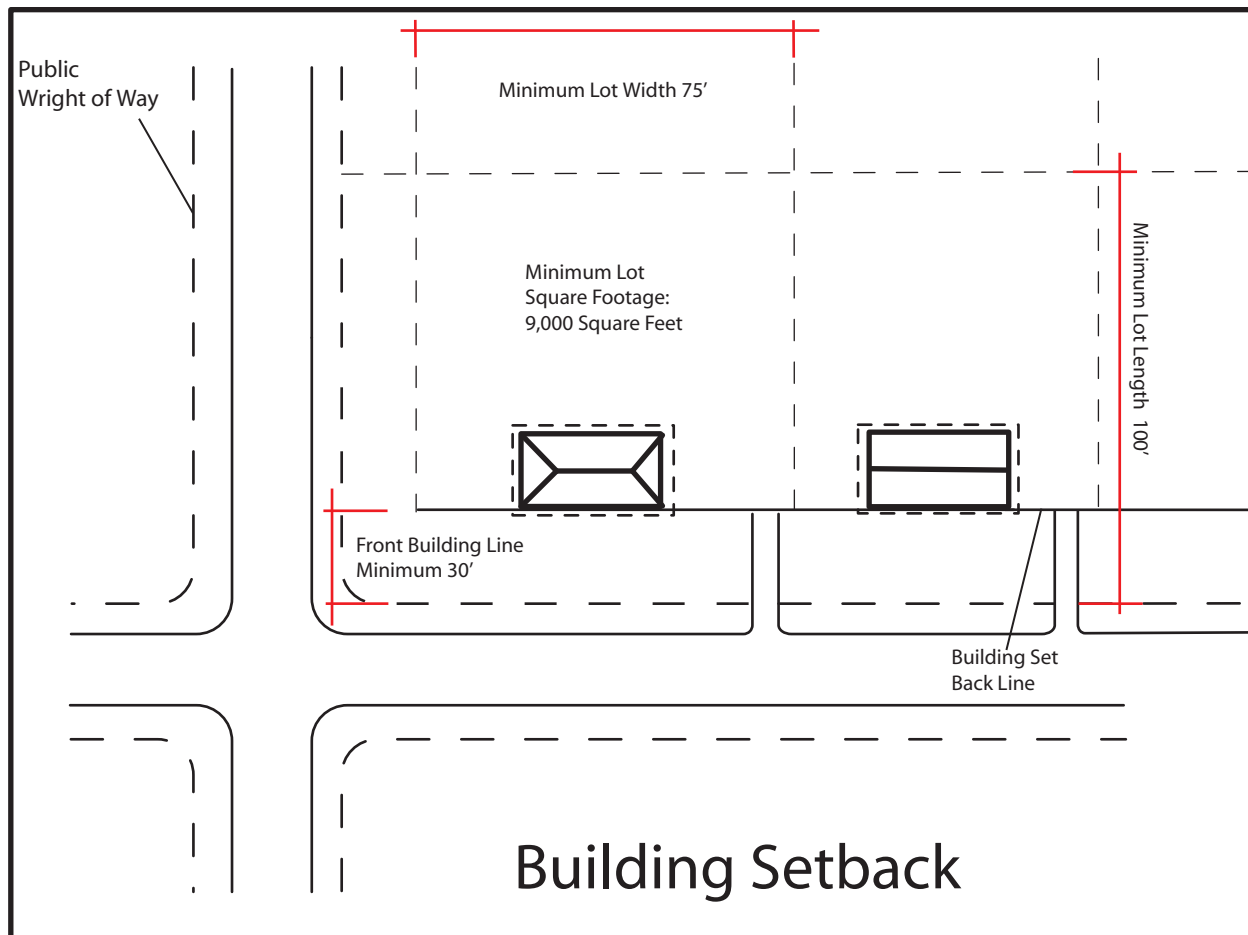


Figure VI.

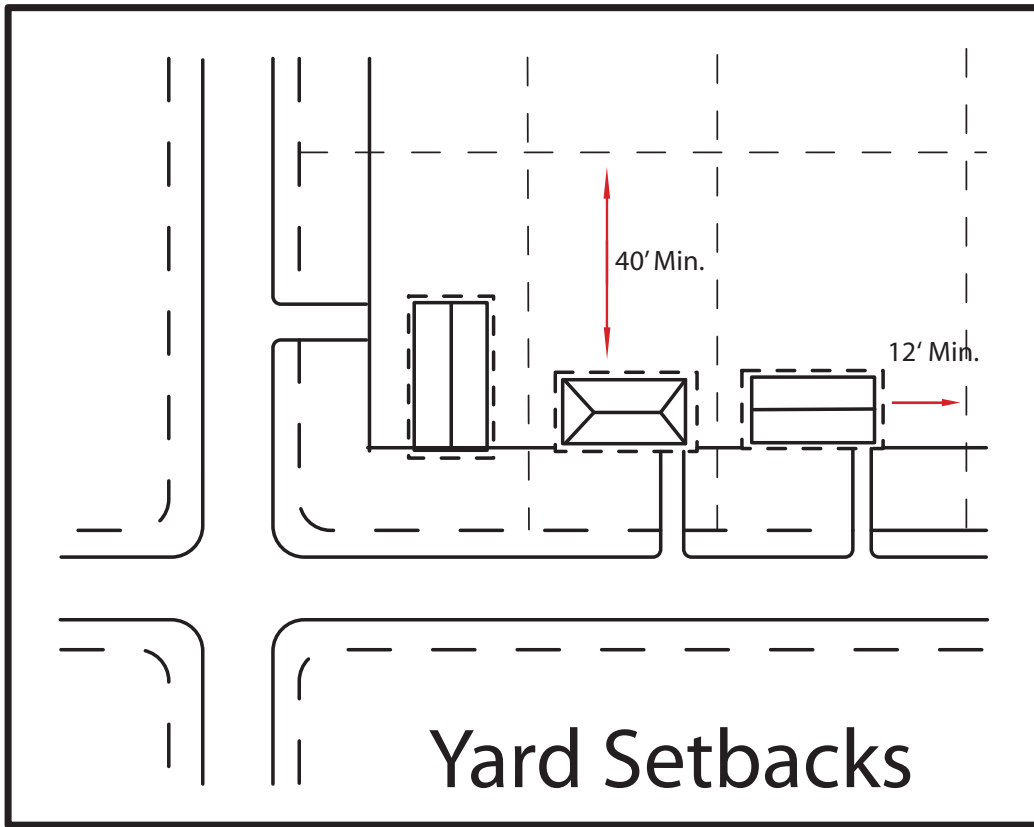


Figure VII.

Double Front Lot

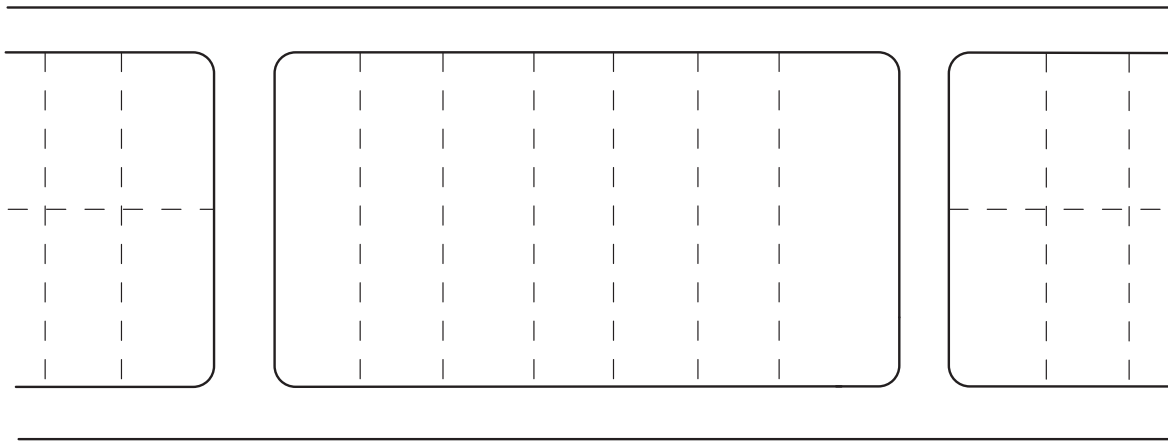


Figure VIII.

Section 703. Lot Lines

All lot lines shall be perpendicular to straight streets or radial to curved street lines, unless not practical because of topographic or other features and a variance is granted by the planning commission.

Section 704. Lots Abutting Public Streets

Each lot shall abut upon a dedicated public street.

Section 705. Double and Reverse Frontage Lots

Double frontage and reverse frontage lots shall be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least ten feet in width, and across which there shall be no right of access, shall be provided along the line of lots abutting such a traffic artery or other disadvantageous use. Adequate covenants shall be recorded to insure the prohibited access across said easement (see Figure VIII.).

In addition, the subdivider shall plant and maintain to maturity an effective opaque, vegetative screen plant and maintained according to the instructions of a reputable plant nursery or other qualified person in the field.

Section 706. Monuments and Markers

Each subdivision shall have as a minimum monument pipes 1 1/4 inches in diameter and two feet in length placed at all main control points within the subdivision. Said monuments shall extend no higher than six inches above finished grade. All corners on platted lots shall be marked by a one-half-inch diameter pipe 18 inches long, which may not extend over three inches above finished grade. Location of points of curvature (PC's) and points of tangency (PT's) for street centerlines shall be marked with a monument pipe identical with those used to identify all lot corners in the subdivision. Said PC and PT markers will be placed on each boundary of the right-of-way.

Permanent concrete monuments, approved by a registered land surveyor, meeting the following minimum standards may also be used in lieu of pipes. Such concrete monuments shall be at least four inches square or five inches in diameter and at least two feet in length. Said monuments shall extend no higher than six inches above the finished grade and shall be marked on top with a cross, brass plug, iron rod, or other durable material securely embedded.

Section 707. Lots Abutting Major Streets or Railroads

Residential lots which have rear yards abutting on a major street or railroad shall be platted with a minimum rear yard setback of 200 feet, unless the Haleyville Planning Commission determines that for reasons of topography or other features a lesser rear yard will achieve the same purpose.

**Subdivision Regulations
City of Haleyville
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Article VIII. Design Requirements for Drainage and Storm Sewers

Section 801. General Design Criteria

The Haleyville Planning Commission shall not approve any plat or subdivision that does not make adequate provision for storm water runoff. The storm water drainage system shall be separate and independent of any sanitary sewer system. The drainage system shall permit storm water to run off without damage to the subdivision itself, while not contributing to unnecessary downstream flooding caused by the increased speed or concentration. No open ditches shall be allowed in any subdivision unless a well vegetated buffer area 50 feet wide from the top of the bank is left on both sides of the ditch. Also, if there is an existing ditch in the vicinity of the proposed subdivision and the amount and/or rate of flow in that ditch is expected to increase materially due to the development of the subdivision, then the developer may be required by the Haleyville Planning Commission to pipe that ditch. Any culverts or other drainage facilities shall in each case be large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the subdivision. The subdivider's engineer shall also study the effect of the subdivision on existing downstream drainage facilities outside the subdivision. Any local drainage studies shall serve as a guide to needed improvements. Where it is anticipated that the additional runoff incident to the development of the subdivision will overload an existing downstream drainage facility, the Haleyville Planning Commission may withhold approval of the subdivision until provision has been made for the improvement of said condition.

At the same time, the system shall minimize erosion, minimize maintenance requirements, be safe for children and be aesthetically acceptable. Where possible, particularly in low-density subdivisions, these regulations encourage maximum use of properly designed swales, detention basins, and other design features that attenuate peak runoff and facilitate aquifer recharge. Developers are encouraged to plat lots around functional, erosion-resistant natural channels, so as to minimize the devegetation and channelization of such features. Extensive use of swales and ditches in a subdivision without proper engineering analysis, however, for the sole purpose of reducing development cost shall not be approved.

If the development is required to install either a detention, retention, or sedimentation pond then, for safety purposes, the basin/pond must be enclosed with a privacy fence (excluding chain link fence).

Section 802. Gutters and Open Channels

Street gutters and other open channels shall be so designed that the velocity in the deepest part of the gutter or channel shall not exceed ten feet per second. The velocity shall be computed by the Manning equation using the depth at a point six inches from the face of the curb as the hydraulic radius. Inlets shall be provided so that surface water is not carried across or around any street intersection, nor for a distance of more than 500 feet in the gutter, unless this requirement is waived by variance for sound engineering reasons by the Haleyville Planning Commission. When calculations indicate that gutter capacity is exceeded or that gutter runoff velocity exceeds ten feet per second, catch basins shall be used to intercept flow at that point. Cross section of ditches and flumes and all calculations of runoff velocity and gutter capacity shall be set forth on the plans and profiles. No ditch or flume section shall be constructed which, in the opinion of the city engineer, lacks the capacity, structural strength, or erosion resistance to discharge runoff from the design storm without suffering damage or requiring more than routine maintenance.

Section 803. Culverts

The inside diameter or cross sectional area of culverts to be provided shall be determined by the rational method using a proper coefficient C dependent upon the variations of the surface condition. Allowance for future development shall be included in the determination of the coefficient C. The 25-year frequency storm event shall be used. In no case shall a pipe be used with an inside diameter less than 15 inches. All calculations of culvert size shall be set forth on the plans and profiles. Types of culverting shall be reinforced concrete pipe, reinforced concrete box culverts designed and constructed according to the latest edition of the Standards and Specifications for Road and Bridge Construction of the Department of Transportation.

Concrete headwalls or special flared end sections shall be provided on the upstream and downstream ends of all culverts, except where such requirements may be waived by variance granted by the Haleyville Planning Commission.

Section 804. Drainage Structures

All drainage structures, including but not limited to curb inlets, yard inlets, catch basin, and junction boxes shall be constructed of reinforced concrete, concrete block fill with concrete, or solid brick. The interior walls and bottom shall be grouted and plastered as necessary to seal holes and provide for a smooth interior surface.

1. The size of all drainage structures shall be as necessary to accommodate the pipes entering and exiting the structure, but in no case shall have inside dimension less than 3 1/2 feet by 3 1/2 feet.

2. The top of the structure shall cover the full opening and shall be securely supported and stabilized. Top of curb inlet shall be flush with the face and top of the curb and shall join the curb at each side. Curb inlets shall be ALDOT type S inlets.
3. Manhole rings and covers, meeting Vulcan Foundry No. VM-25 or equal, shall be placed in all solid tops to allow for ease of inspection and cleaning.

Section 805. Stream Erosion

A developer who owns or controls more than ten acres of land in one watershed and who is subdividing all or part of such acreage shall submit, with the preliminary plat for such subdivision, an engineering analysis of the probable erosion-producing effects upon the principal stream or streams receiving storm water runoff from such property which would result if and when all of the developer's property is fully developed. The engineering analysis shall include before and after estimates of runoff volumes and velocities resulting from a 25-year frequency storm event, calculated at 500-foot intervals along such stream(s) within the developer's property and at a point 300 feet downstream from the developer's lower property line. The analysis shall identify streambed soil types at each of these intervals and cite appropriate authorities concerning the erosion resistance of these soils. Where appropriate, existing riprap or earth-anchoring vegetation shall be described. The analysis shall be sufficient to document one of the following conclusions:

1. The existing streambed and bank, within the developer's property and for a distance of 300 feet downstream from the developer's property line, will suffer no appreciable increase in erosion as a result of the proposed development; or
2. In order to prevent erosion of the streambed, certain engineering measures will be required either to decrease the rate at which storm water runoff enters the principal stream(s), to reduce the stream velocity after storm water enters such stream(s), to increase erosion resistance of the streambed and bank, or some combination of such measures. If such steps are required, the analysis shall present a general description of the measures recommended for employment in the subdivision in question.

Section 806. Erosion and Sediment Control

All subdivisions and development shall meet the requirements of the City of Haleyville erosion and sediment control ordinance [see Article XI].

Section 807. Underdrain

Any subdivision street, which has a median or any other landscape island located within the street right-of-way, must have an underdrain located under the island. Said underdrain system must be designed to prevent water from accumulating under the median and must be connected to the storm sewer system.

**Subdivision Regulations
City of Haleyville
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Article IX. Design Requirements for Sanitary Sewers

Section 901. General Design Criteria

All subdivisions developed within the City of Haleyville or its police jurisdiction shall have sanitary sewers constructed within the streets or platted easements, so that the same can connect to existing sanitary sewer trunk lines or will connect to future sanitary sewer trunk lines. It is the intention of this paragraph that sanitary sewers, sanitary sewer laterals and appurtenances shall be constructed in all subdivisions to prevent future street cuts or expensive yard cuts involved in the construction of the sewer following completion of the subdivision. The Haleyville Planning Commission may, however, waive this requirement by variance in remote areas after receiving a written opinion from the Engineer that the area is unlikely to be served by a trunk or collecting sewer for a five-year period and cannot be economically connected at the subdivider's expense to an existing sewer.

Sanitary sewers shall be designed using the following data for all sewers:

1. Capacity:
 - a. 100 gallons/person/day
 - b. 12 persons/acre minimum
 - c. 3.5 persons/residence.
2. Flow:
 - a. Average flow in cfs = (No. acres) (.002 cu. ft./sec./ac.)
 - b. Maximum flow in cfs:
 - 2.5 times the average flow for pump station
 - 3.0 times the average flow for trucking
 - 4.0 times the average flow for collection
3. Velocities:
 - a. All sewers shall be designed on a grade producing a mean velocity of not less than two feet per second when flowing full based on Manning formula using an "n" of 0.013.

All material used in the construction of sanitary sewers and appurtenances shall meet the requirements for sanitary sewers as approved by the office of the Engineer and the Water Works and Sewer Board.

Service lines shall be stubbed out to the edge of right-of-way at each platted lot. Each service line shall have either locator tape, locator wire, or some other locator device that has been approved by the Engineer installed in the ditch with the service line. Where the sewer is in an easement not in the street, wyes, tees or sewer stubs shall be provided. The locations and depths of such stubs, tees and wyes shall be indicated on the plans and profiles. Stub-outs shall be capped with a watertight cap and have a magnetic detector marker placed at the end.

Section 902. Oversized Facilities to Serve Adjoining Land

When a tract lying downstream from other vacant land is subdivided, the subdivider's engineer shall determine (a) the size and cost of the sewer system required to serve his subdivision only and (b) the size and cost of the sewer system which would be required within his subdivision if all land lying upstream were developed in accordance with the comprehensive plan. Unless upstream property owners privately agree with the subdivider to pay the additional cost of the larger system, the subdivider's engineer shall present his calculations to the Engineer, who shall forward them to the city council with a request that the city pay the difference in cost between the smaller and larger diameter sewers. If the City Council has not agreed within 30 days to pay the difference in cost, the Engineer shall authorize the developer to commence construction on a sewer system adequate to serve his subdivision only. Whenever the owner or owners of land lying upstream from a subdivision with oversized sewers wishes to tap into such sewers, they shall be required to reimburse the city on a pro rata basis for any payment made pursuant to this section in proportion to their respective shares of the total acreage served by such sewers.

Section 903. Lift Station

Plans for proposed lift stations shall be submitted to the Engineer for approval at the time of submission of the plan and profiles and shall be approved by the Engineer and Water Works and Sewer Board prior to construction.

Section 904. On-Site Disposal, Health Regulations

Septic tanks shall be allowed only by variance of the Haleyville Planning Commission and with approval of the Alabama health department.

Section 905. Inspection and Approval

Every person, before commencing the construction of any sewer or part thereof, shall submit plans for construction to the Engineer and shall take out a construction permit to be issued by the Engineer. The Engineer shall inspect the drawing of every proposed sewer and, on approval thereof and on payment of the inspection fee, shall issue a permit

for the construction of such sewer and shall cause such inspections to be made as may be necessary to insure compliance with the provisions of this section [article].

An inspection fee, set by city council, to cover the cost of inspections required by this section shall be paid prior to the issuance of the permit.

After final inspection and approval of the completed sewer by the Engineer and Water Works and Sewer Board, the Engineer shall issue a certificate of approval, in writing, certifying that the provisions of this Article, in the construction of such sewer, have been substantially complied with. It shall be unlawful for any live sewer lateral to be connected to the city's sanitary sewer system until the Engineer has issued such certificate of approval.

**Subdivision Regulations
City of Haleyville
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Article X. Water Facilities

Section 1001. Installation Procedure

For subdivisions located in the city limits or intended for annexation, the subdivider shall pay to install adequate water facilities, as designed by the Engineer, and including fire hydrants and mains at least six inches in diameter, according to the Haleyville Water Works and Sewer Board's water main extension policy on file in the office of the Haleyville Water Works and Sewer Board.

For subdivisions outside the city limits, the subdivider shall also install adequate water facilities, including fire hydrants and mains at least six inches in diameter, and shall connect the same to any available public water system; except as provided in the following paragraph.

For subdivisions outside the city limits and in remote areas, the Haleyville Planning Commission may, by variance, allow individual wells or a central water system provided that:

1. No other source of public water supply is available from a rural water authority;
2. Such system will provide an adequate supply of potable water to every lot in the subdivision;
3. Wells are approved by the appropriate health authorities;
4. The city engineer certifies in writing that the subdivider cannot economically connect at his own expense to an existing source of public water; and
5. The developer's engineer shall submit a preliminary feasibility study including cost for connecting the proposed subdivision with the nearest existing water main.

All water mains in subdivisions served by the City of Haleyville Water And Sewer Board shall be constructed by the developer at his/her cost in compliance with the current City of Haleyville Water Works and Sewer Board Specifications.

Fire hydrants, when provided as required by this section, shall be located no more than 1,000 feet apart and within 500 feet of any structure.

To eliminate future street openings, all underground utilities for fire hydrants, together with the fire hydrants themselves and all other supply improvements, shall be installed before any final paving of a street shown on the subdivision plat.

In all developed areas of the City of Haleyville, fire hydrants shall be placed at or near street intersections and intermittently so that no hydrant is further than 600 feet from the

furthest point of any property where a building is located or can be constructed. Additional hydrants will be required if a subject property is named a high hazard by the authority having jurisdiction. (see Fire Department)

**Subdivision Regulations
City of Haleyville
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Article XI. Erosion Control

Section 1101. Sediment and Erosion Control Plan

The developer of a proposed subdivision shall submit to the Haleyville Planning Commission with the preliminary plat four copies of a plan to control erosion on the site of the proposed subdivision. Said plan shall be prepared by the subdivider's engineer according to the best available practices of sediment and erosion control and shall consist of a map(s) and a description of the premises setting forth the proposed (a) improvements to be constructed, (b) changes to be made in the contours of the site, and (c) removal or destruction of the natural topsoil, trees, or other natural vegetation on the said described premises.

The said plan shall include but not be restricted to, the following provisions:

1. The areas of said described premises that may be exposed at any one time and the length of exposure time;
2. The type of temporary vegetation and/or mulching that will be used to protect exposed areas of said described premises during the (a) construction of any type of improvements thereon; (b) changes being made in the contours thereof; or (c) in the removal or destruction of topsoil, trees and other vegetation located thereon;
3. The locations, construction and maintenance of sediment basins (debris basins, desilting basins, or silt traps), or other control measures on said described premises;
4. The type of permanent and final vegetation and said structures that will be planted and installed on the said described premises and the time within which such vegetation and structures are to be planted or installed;
5. Description of the type of soil comprising the said premises and the physical properties of each type of soil; and
6. Description of the soil comprising the area immediately adjacent and within the general vicinity of the said premises, and the physical properties thereof.

The city engineer shall review said sediment and erosion control plan and submit written comments to the Haleyville Planning Commission prior to presentation of the preliminary plat for approval. Written comments shall specifically state the acceptability of the plan, nonacceptability, or any necessary changes to insure adequate erosion control. The city engineer shall also submit written comments to the Haleyville Planning Commission, prior to presentation of a final plat for approval, stating that the sediment and erosion control plan has been carried out in substantial compliance with this section or that the subdivider has failed to comply. Where the city engineer's comments or other validated evidence indicates that the subdivider has not carried out the approved sediment and erosion control plan the Haleyville Planning Commission shall not grant final approval of the subdivision

**Subdivision Regulations
City of Haleyville
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Article XII. Requirements for Subdivisions Subject to Flooding

Section 1201. Streams Depicted on Flood Boundary and Floodway Map

Land located within the subdivision jurisdiction of the City of Haleyville which abuts on or is bisected by a stream, segment of a stream, or other water body for which the 100-year floodway fringe are depicted on the flood boundary and floodway map shall be subdivided in accordance with the following regulations:

1. Except as provided in section 1202 below, any portion of a proposed subdivision lot which lies within a floodway shall be designated as a drainage easement on the final plat, and shall be further identified by the word "floodway." The portion of the lot lying outside the floodway shall be of such size and configuration as will permit construction of a residence without encroaching upon the floodway easement. The following note shall be set forth on the margin of the final plat in 14-point type or larger:

Note: No filling or construction shall be allowed in the portion of this subdivision designated as "floodway" without the written permission of the Haleyville Planning Commission.

2. Land lying outside the floodway but within the floodway fringe shall be depicted on the preliminary and final plat by means of hatching or shading. There shall be a note on the margin of the final plat indicating that land so hatched or shaded is located in the floodway fringe, and that no house or other structure for human habitation may be built thereon unless the lowest floor (including basement, if any) is constructed at an elevation not less than the base flood elevation. Each lot or portion of a lot lying within the floodway fringe shall contain a note on the final plat indicating the minimum first floor elevation for any habitable structure to be built thereon, which elevation shall be equal to the base flood elevation or higher. The base flood elevation shall be determined by reference to flood profiles and other data in flood insurance study.

Section 1202. Channelization by Variance

In the event that a developer requests a variance, according to section 108 of these regulations, to channelize, straighten, narrow, or relocate a floodway, the following procedure shall be employed:

1. The developer's engineer shall submit to the city engineer designs of the proposed change to the floodway channel, together with supporting data such as cross sections, profiles, engineering calculations, and the like demonstrating that the proposed change will accommodate the base flood and will not have the cumulative effect, when combined with all other existing and anticipated development, of increasing the water surface elevation along any significant reach of the stream by more than one foot or of causing other adverse effects upon any part of the drainage system on account of increased stream velocity, eddy action or other phenomena.
2. The developer's engineering report and design shall be submitted to the city engineer, who shall submit written comments upon it to the Haleyville Planning Commission prior to the commission's action on the variance concurring with, or taking exception to, the said engineering report and design. After verifying the accuracy of the plans, profiles, and calculations, the city engineer shall forward them to the Federal Emergency Management Agency with a request that the flood boundary and floodway map be amended if and when the proposed channel improvements are constructed.

Approval by the Haleyville Planning Commission of any plat of a subdivision involving the channelizing, straightening, or relocation of such a stream shall not be construed to constitute an amendment of the flood insurance rate map or the flood boundary and floodway map.

Section 1203. Streams Outside of the City Limits, but in Subdivision Jurisdiction

Land located within the subdivision jurisdiction of the City of Haleyville which abuts on or is bisected by a stream, segment of a stream or other water body for which no floodway is depicted on any flood boundary and floodway map, but along with a special flood hazard area is depicted on a flood hazard boundary map officially promulgated by the Federal Emergency Management Agency, shall be platted as follows:

1. The developer's engineer shall measure the average width of the normal rainy season streambed from top of bank to top of bank. The floodway width shall be deemed to equal five times the width of the normal streambed or 100 feet, whichever is greater. It shall be presumed that the floodway is equally distributed on either side of the centerline of the stream. Land lying outside the floodway boundary, but within the special flood hazard area, shall be deemed floodway fringe land.
2. If owing to topography or other factors, the method prescribed in paragraph (1) above does not yield a reasonable and practical measurement of the floodway, the developer's engineer may offer other information to establish the floodway configuration more precisely in accordance with accepted engineering practice.

3. To determine the base flood elevation, the developer's engineer shall investigate all available sources of information, such as historic flood profiles, eyewitness accounts, and the like. He shall prepare a report setting forth the said elevation, and citing the evidence upon which his estimate is based. The city engineer shall advise the Haleyville Planning Commission in writing prior to approval of the preliminary plat whether or not he concurs with the estimated base flood elevation and whether or not additional research is needed.
4. After receipt of the report from the developer's engineer, together with the comments of the city engineer, the Haleyville Planning Commission shall issue the developer a ruling approving or disapproving the floodway configuration and base flood elevation, [and] the developer's engineer may [then] proceed to complete the subdivision plans in accordance with the provisions of section 1201.

**Subdivision Regulations
City of Haleyville
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Article XIII. Planned Developments and Condominiums

Section 1301. Site Design Standards and Platting Procedures

These regulations seek to encourage sound innovations in residential site planning by permitting reasonably flexible site design standards in planned developments and condominiums.

1. Within the corporate limits of Haleyville innovative developments of clustered houses, duplexes, townhouses, mixed land uses may be developed following a review by the Haleyville Planning Commission and in accordance with the Haleyville Zoning Ordinance. Section 77 Planned Unit Development District Types & Requirements is established for development constructed on a tract of property under single ownership or development scheme, planned and developed as an integral unit, and consisting of a mix of land use densities or uses on land designated as a PUD. The PUD designation and its suffix attachments of PRD or MXD may be requested and considered for application only to those properties already zoned R-1, R-2, R-3, R-4, MH-1, B-1 B-2. There are two types of Planned Unit Developments and each PUD suffix requires the approval of a master development plan and the identification of post development uses for the proposed PUD. All PUD development requests within the corporate limits of Haleyville should follow the adopted guidelines by the City of Haleyville
2. In areas within the subdivision jurisdiction but outside the corporate limits innovative developments of clustered houses, duplexes, mixed land uses, townhouses and the like intended for sale to individual homeowners, which incorporate lots smaller than 9,000 square feet in area and less than 75 feet wide at the building line, may be permitted subject to the following standards and plat review procedures: Sufficient permanent open space shall be set aside to produce a gross site density not exceeding the following values:
 - a. Five dwelling units per acre in single-family detached houses or two-family (duplex) houses.
 - b. Yards provided shall be adequate, in the opinion of the Haleyville Planning Commission, to admit necessary light and air. No single row of townhouses shall exceed 200 feet in length. The preliminary plan, in addition to the information otherwise required on such plat, shall also depict proposed parking areas, the size, height (in stories), and layout of buildings, and the boundaries of permanent open space. The preliminary plat shall be accompanied by a written statement setting forth a clear description of proposed arrangements for the ownership and maintenance of the permanent

open space and a description of the required covenants and restrictions to apply to property sold to homeowners. The final plat, in addition to the information otherwise required on such plat, shall identify all permanent open space as such. All restrictive covenants, building setback lines, and other private restrictions affecting the use of the property shall be set forth upon the plat, unless such restrictions are recorded in a separate document, in which event a reference to such recorded document shall be set forth upon the plat. The articles of incorporation of organizations or groups of owners established for ownership and maintenance of permanent open space shall be submitted, at the time of approval of the final plat, for review and approval by the Haleyville Planning Commission. The preliminary and final plats shall be processed in accordance with article III of these regulations.

**Subdivision Regulations
City of Haleyville
Winston County, Alabama**

Article XIV. Nonresidential Subdivisions

Section 1401. Design and Layout Standards

If a proposed subdivision in the city limits is zoned for commercial or industrial purposes or a subdivision located outside the city limits is intended for commercial or industrial uses, the layout of the subdivision shall be appropriately altered to suit the anticipated building types, vehicular traffic, parking demand and other characteristics.

In addition to the principles and standards in these regulations, which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the Haleyville Planning Commission that the street, parcel, and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed, but not limited to, the following:

1. Proposed industrial parcels shall be suitable in area and dimensions to the types of industrial development anticipated.
2. Street rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereupon.
3. Special requirements may be imposed by the local government with respect to street, curb, gutter, and sidewalk design and construction.
4. Special requirements may be imposed by the local government with respect to the installation of public utilities, including water, sewer, and storm water drainage.
5. Every effort shall be made to protect adjacent residential areas from potential nuisance from a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for a permanently landscaped buffer strip when necessary.
6. Streets carrying nonresidential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas.
7. Site plan application shall be required for all nonresidential developments within the planning jurisdiction for approval of all city agencies and county agencies as appropriate prior to the issuing of building permits.

**Subdivision Regulations
City of Haleyville
Winston County, Alabama**

Article XV. Amendment and Legal Considerations

Section 1501. Amendments

The Haleyville Planning Commission may amend these regulations from time to time after publication and a public hearing as required by law.

Section 1502. Saving Clause

These regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing subdivision regulations, or about to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving any right of the city under any section or provision existing at the time of adoption of these regulations, or as vacating or annulling any rights obtained by any person, firm, or corporation by lawful action of the city, except as shall be expressly provided for in these regulations.

Section 1503. Interpretation by the Haleyville Planning Commission

Whenever a subdivider, city official or aggrieved person affected by the administration and enforcement of these regulations finds uncertainty in the interpretation of these regulations, that person shall submit the same in writing to the Haleyville Planning Commission, which shall be the sole authority for interpretation of these regulations.

Section 1504. Regulations to the Minimum Standards

In their interpretation and application, these regulations are considered as minimum standards. Whenever the provisions of these regulations and those of some other valid regulation, ordinance, or statute apply to the same subject matter, that control measure requiring the highest, or more strict, standard shall govern.

Section 1505. Separability

If any part or provision of these regulations or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in the controversy in which such judgment shall have been rendered, and shall not affect or impair the validity of the remainder of these regulations or the application thereof to other persons or circumstances. The Haleyville Planning Commission hereby declares

that it would have enacted the remainder of these regulations even without any such part, provision, or application.

Section 1506. _____ Effective Date

These regulations shall be effective and shall supersede all former subdivision regulations of the City of Haleyville upon the date of their adoption, provided however that proposed subdivisions have received preliminary plat approval prior to the adoption of these regulations shall be allowed to be platted and approved under the conditions imposed at the time of their preliminary approval for a period of nine months after the adoption of these regulations.

**Subdivision Regulations
City of Haleyville
Winston County, Alabama**

Article XVI. Recreational Vehicle Park Regulations

Section 1601. Site Design Standards

A recreational vehicle park shall meet the following site standards and regulations:

1. The minimum area for any recreational vehicle park shall be three acres.
2. The maximum density is ten recreational vehicle sites per acre.
3. Minimum front, side, and rear yard setbacks shall be 50 feet at recreational vehicle park boundaries.
4. All minimum interior side yard and rear yard setbacks shall include a minimum of a 15-foot-wide planting area of trees and shrubs to act as a screen between recreational vehicle park and abutting property.
5. Access points shall be located on public streets providing safe and convenient access.
6. All recreational vehicle parks shall have paved streets well marked and lighted by the mobile home park owner. Those outside city limits for rent only shall meet county road standards: 24 feet wide, hard surface, with four-foot shoulder. Those inside the city limits and all with lots for sale shall meet city road standards: 27 feet wide, asphalt or concrete with curbs, gutters, and sidewalks. All recreational vehicle lots shall abut upon a street and shall have hard surface driveways.
7. The entire area shall be adequately serviced by water and sewer and all recreational vehicles remaining for a period exceeding 30 days must meet the requirements of the minimum housing code pertaining to recreational vehicles.
8. No accessory building or structure shall be erected or maintained in any required minimum setback area for the recreational vehicle park or any individual recreational vehicle space nor shall an accessory building or structure be located more than 100 feet from the mobile home it is to serve.

Section 1602. Design Standards for Individual Recreational Vehicle Sites

The following site standards shall apply to individual recreational vehicle spaces within each recreational vehicle park.

1. *Size.* No recreational vehicle space shall be less than 4,000 square feet.
2. *Setbacks.* Minimum front, side and rear yard setbacks shall be as follows:

- a. Front yard shall be 20 feet.
 - b. Side yards shall be a total of 25 feet with one yard not less than ten feet.
 - c. Rear yards shall be ten feet.
3. *Landscaping.* All minimum setback areas shall be permanently landscaped and maintained with ground cover, trees and shrubs (see landscaping requirements, section 406).

Sec. 1603. Site Plan Application Required

A site plan application shall be submitted and approved by the city agencies for a recreational vehicle park prior to the issuance of any grading permit or building permits. The plan shall contain the following information:

1. The scale of the map shall not be less than one inch to 50 feet with contours at five-foot vertical intervals showing pertinent topographical features.
2. The location, use, plan, and dimension of each building or structure to be constructed and the location of each recreational vehicle to be parked.
3. The location, dimension and arrangement of all open spaces, yards, access ways, entrances, exits, off-street parking facilities, pedestrian ways, location and width of roads, streets, and sidewalks.
4. Location, dimensions, and arrangement of all areas devoted to planting, lawns, trees or similar purposes, with a description including the height and density of all trees or planting to be used for screening.
5. Location and description of all facilities to be used for sewage disposal, water supply, and storm drainage.

Sec. 1604. Building Permit Requirements

Each mobile home hereinafter located on a lot for any purpose, residential, commercial, construction site or industrial caretaker use, shall meet the following requirements specified on building permits and enforced by permit and inspection thereof:

1. recreational vehicle *anchorage.* A recreational vehicle stand shall be installed to provide adequate support for the placement and tie down of each recreational vehicle. The stand shall not heave, shift or settle unevenly under weight of the mobile home due to frost action, inadequate drainage, vibration, wind [or] other forces action on the structure. Anchors or tie downs such as cast-in-place concrete deadmen, eyelets imbedded in concrete, screw augers or arrowhead anchors shall be placed at least every 20 feet.

2. Streets:

- a. *General.* All recreational vehicle parks shall be provided with a safe and convenient vehicular access from abutting public streets or roads to each recreational vehicle lot. Streets, driveways or other means shall provide such access.
- b. *Private streets.* Streets in a recreational vehicle park shall be private, provided that where an adjoining tract of land would have access to public streets only through the recreational vehicle park, at least one street meeting all standards prescribed in the subdivision regulations shall be dedicated to the public for the purpose of providing such access.
- c. *Entrance streets.* Entrances to recreational vehicle parks shall have direct connections to a public street and shall be designed to allow free movement of traffic on such adjacent public streets. No parking shall be permitted on the entrance street for a distance of 100 feet from its point of beginning.
- d. *Circulation.* The street system shall provide convenient circulation by means of minor streets and properly located collector streets. Dead-end streets shall be limited in length to 600 feet and their closed end shall be provided with an adequate turnaround (60-foot diameter cul-de-sac). No street of less than two lanes shall be permitted.
- e. *Pavement widths.* Pavements shall be of adequate widths to accommodate the contemplated parking and traffic load in accordance with the type of street with ten feet minimum moving lanes for collector streets, nine feet minimum moving lanes for minor streets, seven feet minimum lane for parallel parking and in all cases shall meet the following requirements:
 - i. Collector streets with guest parking allowances, 34 feet.
 - ii. Collector streets and all other streets except minor streets without parking allowances, 24 feet.
 - iii. Minor streets serving less than 40 lots (no parking), 18 feet.
 - iv. Pavement widths of interior streets shall be 20 feet minimum width.
- f. *Street grades.* Grades of all streets shall be sufficient to insure adequate surface drainage, but shall not be more than eight percent. Short runs with a maximum grade of 12 percent may be permitted, provided traffic safety is assured.
- g. *Intersections.* Street intersections shall generally be at right angles. Offsets at intersections and intersections of more than two streets at one point shall be avoided.
- h. *Extent of improvements.* All streets shall be provided with a smooth, hard and dense surface, which shall be durable and well drained under normal

use and weather conditions. The surface shall be maintained free of cracks and holes and its edges shall be protected by suitable means to prevent raveling and shifting of the base.

- i. Streetlights.* Lighting shall be designed to produce a minimum of one-tenth foot candle throughout the street system. Potentially hazardous locations, such as major street intersections, shall be individually illuminated with a minimum of three-tenths foot-candle.

3. *Walks:*

- a. General requirements.* All recreational vehicle developments shall be provided with safe, convenient, all-season pedestrian access of adequate width for intended use, durable and convenient to maintain.
- b. Common walk system.* A common walk system shall be provided and maintained between locations where pedestrian traffic is concentrated. Such common walks shall have a minimum width of 4 feet.
- c. Individual walks.* All recreational vehicle stands shall be connected to common walks, or to driveways, or to parking spaces. Such individual walks shall have a minimum width of two feet.

4. *Driveways and Parking Spaces:*

- a. Driveways.* Improved driveways shall be provided on lots where necessary for convenient access to recreational vehicle. The minimum width shall be ten feet.
- b. Parking spaces.* The design criteria for automobile parking shall be based upon two parking spaces for each recreational vehicle lot. Parking may be in tandem.

**Subdivision Regulations
City of Haleyville
Winston County, Alabama**

Article XVII. Mobile Home Park Regulations

Section 1701. Site Design Standards

A mobile home park shall meet the following site standards and regulations:

1. The minimum area for any mobile home park shall be three acres.
2. The maximum density is ten mobile home sites per acre.
3. Minimum front, side, and rear yard setbacks shall be 50 feet at mobile home park boundaries.
4. All minimum interior side yard and rear yard setbacks shall include a minimum of a 15-foot-wide planting area of trees and shrubs to act as a screen between mobile home park and abutting property.
5. Access points shall be located on public streets providing safe and convenient access.
6. All mobile home parks shall have hard surface streets well marked and lighted by the mobile home park owner. Those outside city limits for rent only shall meet county road standards: 24 feet wide, hard surface, with four-foot shoulder. Those inside the city limits and all with lots for sale shall meet city road standards: 27 feet wide, asphalt or concrete with curbs, gutters, and sidewalks. All mobile home lots shall abut upon a street and shall have hard surface driveways.
7. The entire area shall be adequately serviced by water and sewer and all mobile homes must conform to Local, County and State regulations as they pertain to new home construction. All mobile homes are required to have poured foundations which run the entire perimeter of the home. Slab concrete foundations are permitted where allowed. The entire perimeter of the home will have masonry pinning, i.e. Brick or concrete block laid from the foundation to the first floor level.
8. No accessory building or structure shall be erected or maintained in any required minimum setback area for the mobile home park or any individual home lot.

Section 1702. Design Standards for Individual Mobile Home Sites

The following site standards shall apply to individual Mobile home spaces within each Mobile home park.

1. *Size.* No mobile home lot shall be less than 7,000 square feet.

2. *Setbacks.* Minimum front, side and rear yard setbacks shall be as follows:
 - a. Front yard shall be 20 feet.
 - b. Side yards shall be a total of 25 feet with one yard not less than ten feet.
 - c. Rear yards shall be ten feet.
3. *Landscaping.* All minimum setback areas shall be permanently landscaped and maintained with ground cover, trees and shrubs (see landscaping requirements, section 406).

Sec. 1703. Site Plan Application Required

A site plan application shall be submitted and approved by the city agencies for a mobile home park prior to the issuance of any grading permit or building permits. The plan shall contain the following information:

1. The scale of the map shall not be less than one inch to 50 feet with contours at five-foot vertical intervals showing pertinent topographical features.
2. The location, use, plan, and dimension of each building or structure to be constructed and the location of each mobile home to be located.
3. The location, dimension and arrangement of all open spaces, yards, access ways, entrances, exits, off-street parking facilities, pedestrian ways, location and width of roads, streets, and sidewalks.
4. Location, dimensions, and arrangement of all areas devoted to planting, lawns, trees or similar purposes, with a description including the height and density of all trees or planting to be used for screening.
5. Location and description of all facilities to be used for sewage disposal, water supply, and storm drainage.

Sec. 1704. Building Permit Requirements

Each mobile home hereinafter located on a lot for any purpose, residential, commercial, construction site or industrial caretaker use, shall meet the following requirements specified on building permits and enforced by permit and inspection thereof:

1. *Streets:*
 - a. *General.* All mobile home parks shall be provided with a safe and convenient vehicular access from abutting public streets or roads to each mobile home lot. Streets, driveways or other means shall provide such access.
 - b. *Private streets.* Streets in a mobile home park shall be private, provided

that where an adjoining tract of land would have access to public streets only through the mobile home park, at least one street meeting all standards prescribed in the subdivision regulations shall be dedicated to the public for the purpose of providing such access.

- c. *Entrance streets.* Entrances to mobile home parks shall have direct connections to a public street and shall be designed to allow free movement of traffic on such adjacent public streets. No parking shall be permitted on the entrance street for a distance of 100 feet from its point of beginning.
- d. *Circulation.* The street system shall provide convenient circulation by means of minor streets and properly located collector streets. Dead-end streets shall be limited in length to 600 feet and their closed end shall be provided with an adequate turnaround (60-foot diameter cul-de-sac). No street of less than two lanes shall be permitted.
- e. *Pavement widths.* Pavements shall be of adequate widths to accommodate the contemplated parking and traffic load in accordance with the type of street with ten feet minimum moving lanes for collector streets, nine feet minimum moving lanes for minor streets, seven feet minimum lane for parallel parking and in all cases shall meet the following requirements:
 - i. Collector streets with guest parking allowances, 34 feet.
 - ii. Collector streets and all other streets except minor streets without parking allowances, 24 feet.
 - iii. Minor streets serving less than 40 lots (no parking), 18 feet.
 - iv. Pavement widths of interior streets shall be 20 feet minimum width.
- f. *Street grades.* Grades of all streets shall be sufficient to insure adequate surface drainage, but shall not be more than eight percent. Short runs with a maximum grade of 12 percent may be permitted, provided traffic safety is assured.
- g. *Intersections.* Street intersections shall generally be at right angles. Offsets at intersections and intersections of more than two streets at one point shall be avoided.
- h. *Extent of improvements.* All streets shall be provided with a smooth, hard and dense surface, which shall be durable and well drained under normal use and weather conditions. The surface shall be maintained free of cracks and holes and its edges shall be protected by suitable means to prevent raveling and shifting of the base.
- i. *Streetlights.* Lighting shall be designed to produce a minimum of one-tenth foot candle throughout the street system. Potentially hazardous locations, such as major street intersections, shall be individually illuminated with a minimum of three-tenths foot-candle.

2. *Walks:*

- a. *General requirements.* All mobile home developments shall be provided with safe, convenient, all-season pedestrian access of adequate width for intended use, durable and convenient to maintain.
- b. *Common walk system.* A common walk system shall be provided and maintained between locations where pedestrian traffic is concentrated. Such common walks shall have a minimum width of 4 feet.
- c. *Individual walks.* All mobile home stands shall be connected to common walks, or to driveways, or to parking spaces. Such individual walks shall have a minimum width of two feet.

3. *Driveways and Parking Spaces:*

- a. *Driveways.* Improved driveways shall be provided on lots where necessary for convenient access to mobile homes. The minimum width shall be ten feet.
- b. *Parking spaces.* The design criteria for automobile parking shall be based upon two parking spaces for each mobile home lot. Parking may be in tandem.

**Subdivision Regulations
City of Haleyville
Winston County, Alabama**

Article XVIII. Certificates, Certifications, Bonds, Violations, Applications, Check List

- Owner's Certificate
- Surveyor's Certificate
- Certification of the Approval of Streets and Utilities
- Certificates of Approval for Recording
- Performance Bond
- City Council Acceptance of Public Dedication
- Certificate of Approval of the Final Plat by the Planning Commission
- Violation Complaint
- Notice of Violation
- Notice of Citation
- Subdivision Application
- Preliminary Plat Checklist
- Plans and Profiles/Subdivision Improvements Checklist
- Final Plat Checklist
- Re-subdivision Check List

OWNER'S CERTIFICATE

OWNER'S CERTIFICATE AND DEDICATION. We, the undersigned (name of owner) do hereby certify that we are the owners of and the only person having any right, or interest, in the land shown of the Plat of (name of subdivision), and that the Plat presents a correct survey of the above described property made without consent, and that we hereby dedicate to the public use all the streets shown on said Plat. The easements, as shown on the plat, are created for the installation and maintenance of public utilities. We hereby guarantee a clear title to all lands so dedicated from ourselves and our heirs or assignees forever, and have caused the same to be released from all encumbrances so that the title is clear, except as shown in the abstractor's certificate.

RESTRICTIONS: (if any, follow here)

Witness _____ hand _____ this _____ day of _____
, 20_____.

Witness _____

SURVEYOR'S CERTIFICATE

SURVEYOR'S CERTIFICATE, I _____, the undersigned, do hereby certify that I am a professional land surveyor or civil engineer, registered in the State of Alabama, and that the annexed map of (name of subdivision) consisting of ___ sheets, correctly represents a survey made under my supervision on the _____ day of _____, 20___; and that all of the monuments shown hereon actually exist and their positions are correctly shown.

Signature _____

License Number _____

Witness _____

CERTIFICATION OF THE APPROVAL
OF STREETS AND UTILITIES

I hereby certify that the streets, utilities, and other improvements have been installed in an acceptable manner according to City of Haleyville specifications in the subdivision entitled _____, or that a security bond in the amount of \$_____ has been posted with the City of Haleyville to assure proper construction of all requirement improvements in case of default.

20_____

City Engineer
(or other approving agent(s))

CERTIFICATION OF APPROVAL FOR RECORDING

I hereby certify that the subdivision plat for _____ subdivision has been found to comply with the Subdivision Regulations of the City of Haleyville, Alabama, with the exception of such variances, if any, as are noted in the minutes of the Planning Commission, and that it has been approved for recording in the Office of the Probate Judge of Winston County.

Chairman, Planning Commission

20____

ATTEST:

Secretary

By _____

Approved as to form and legality this _____ day of _____ A.D., 20____.

Attorney _____

Approved by the City Council of Haleyville this _ day of _____, A.D., 20____.

ATTEST:

Clerk

Mayor

PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS:

That we, _____, as principal and the undersigned Surety, are held and firmly bound unto the City of Haleyville, Alabama, hereinafter called the "City", in the full sum of _____ (\$_____), for the payment of which, well and truly to be made, we, and each of us, bind ourselves jointly and severally, by these presents.

Dated this the ____ day of _____, A.D., 20____.

The conditions of this obligation are such that,

WHEREAS, PRINCIPAL, has submitted to the Planning Commission, a Preliminary Plat for subdivision of a tract of land described as follows:

AND, WHEREAS, PRINCIPAL, has pursuant to the Subdivision Regulations of the City of Haleyville elected to title this bond in lieu of actual completion of improvements and utilities in the above subdivision.

NOW, THEREFORE, if the PRINCIPAL shall, within _____ month(s) from the date of approval of the Preliminary Plat of the subdivision, faithfully install complete improvements and utilities in the rules and regulation of the City and pay all bills for contractors, subcontractors, labor and materials incurred in completion thereof; and shall hold harmless and indemnify the City and all interest property owners against liability, loss, or damage by reason of failure of PRINCIPAL to faithfully perform the conditions hereof, then this obligation shall be null and void, otherwise to remain in full force and effect; PROVIDED, however, that actions upon this bond by contractors, subcontractors, laborers, or material men shall be limited to six months from and after completion of the improvements and utilities above referred to.

Signed, sealed, and delivered the day and year first above written.

Principal

ATTEST:

Secretary

CITY COUNCIL ACCEPTANCE
OF PUBLIC DEDICATION

Be it resolved by the City Council of the City of Haleyville, Alabama, that the dedication shown on the attached Plat of (name of subdivision) is hereby accepted.

Adopted by the City Council of the City of Haleyville, Alabama, this the _____ day of _____, 20__.

Mayor

ATTEST:

Clerk

**CERTIFICATE OF APPROVAL
OF THE FINAL PLAT BY THE**

PLANNING COMMISSION

(to be placed on the plat)

Pursuant to the Haleyville Subdivision Regulation, all the requirements for approval have been fulfilled. The City of Haleyville Planning Commission gave Final Approval of this final plat on _____.

Secretary

Date _____

**CITY OF HALEYVILLE
VIOLATION COMPLAINT**

Date of Complaint _____ Complaint Received By _____

Form of Complaint: _____ Citizen _____ Public Official _____ Inspector

Name of Person Filing Complaint: _____

Nature of Complaint: _____

Location: _____

Probable Violation of Article _____ Section _____, of the Haleyville
Subdivision Regulations, described as follows:

Referred for Inspection to: _____

Date of Inspection: _____

Inspection Findings: _____

_____ Violation Found _____ No Violation Found Other: _____

Initial Action Following Discovery of Violation: _____

Notice of Violation Sent On: _____

_____ Other: _____

Follow-Up Inspection Due On: _____

Notes: _____

**CITY OF HALEYVILLE
NOTICE OF CITATION**

Date of Notice

Name of Property Owner

Mailing Address

City, State, ZIP

Dear (name of property owner) :

On (date upon which initial violation was confirmed) , I investigated and confirmed a violation of the Haleyville Subdivision Regulations on your property located at (street address of subject property) . The nature of this violation is (description of violation) , which violates Article (cite Article number) , (cite Section and subparagraph numbers) of the Subdivision Regulations. Our records show that the Notice of Violation was sent to you on (date that the notice was mailed) and received by you on (date of receipt by property owner) explaining the nature of this violation and requesting that you correct the problem on or before (deadline for correction of violation specified in the notice of the violation) .

On (date of re-inspection) , I performed a follow-up investigation to determine whether or not the violation had been corrected in accordance with the Notice of Violation. My inspection of the property revealed that the violation has not been corrected in accordance with the Subdivision Regulations. Therefore, the City of Haleyville is hereby issuing this Citation to you for failure to correct a violation of the Subdivision Regulations. To correct this violation, you must (specify corrective measures including the amount of the fine that must be paid by the property owner) on or before (ten days after the date of citation) . If this violation is not corrected in full by the aforementioned date, the City of Haleyville will be obligated to file a written complaint with the Municipal Court for relief. If such a complaint is filed, you will be required to appear before the Municipal Court, at a time and date to be determined by the Court, to answer the charge of violation as explained in this Citation. If you have any questions regarding this violation or the subsequent actions that the City will take, please do not hesitate to contact me at (specify contact number and/or email address) during the hours of (specify business hours) .

We appreciate your efforts to resolve this violation as soon as possible. Thank you for your cooperation.

Sincerely,

 (signature of enforcement officer)

Enforcement Officer

**CITY OF HALEYVILLE
NOTICE OF VIOLATION**

Date of Notice

Name of Property Owner
Mailing Address
City, State, ZIP

Dear (name of property owner):

On (date of investigation), I investigated and confirmed a violation of the Haleyville Subdivision Regulations on your property located at (street address of subject property). The nature of this violation is (description of violation), which violates Article (cite Article number), (cite Section and subparagraph numbers) of the Subdivision Regulations.

I am writing to request that you take action to correct this violation on or before (specify date by which the violation must be corrected), in order to avoid the issuance of a formal citation and penalty. If you feel that this notice has been issued in error or you feel that an extension to the deadline is necessary, please arrange a meeting with me on or before (date – five business days after the date of notice). I will be happy to discuss this problem with you in greater detail.

Thank you for your help in addressing this problem. The City of Haleyville appreciates your cooperation.

Sincerely,

(signature of enforcement officer)
Enforcement Officer

**CITY OF HALEYVILLE
SUBDIVISION APPLICATION**

Property owners in the City of Haleyville who wish to subdivide property within the City and within the City's extraterritorial planning jurisdiction must complete a Subdivision Application form. To request Planning Commission approval of a proposed subdivision plan, please complete the following application and return the form with all necessary supporting documentation to City Hall. Incomplete applications will not be processed. For additional information, please call the City of Haleyville at 205-486-3121 during regular business hours.

Applicant Information

Name of Applicant: _____

Mailing Address: _____

Business Hours Telephone Number: _____

Fax Number (if available): _____

NOTE: if the applicant is not the owner of the subject property, then a letter signed by the owner authorizing the applicant to submit the application must accompany the application.

Consulting Engineer Information

(if same as applicant, complete only first three lines)

Name of Lead Consultant: _____

Name of Consulting Firm: _____

Professional Trade Affiliation: [] Engineer [] Surveyor [] Architect

Mailing Address: _____

Business Hours Telephone Number: _____

Fax Number (if available): _____

Property Summary Information

Owner(s) of Record: _____

Street Address of Subject Property: _____

Is Subject Property Located within the City Limits of Haleyville? [] yes [] no

Tax Map and Lot Number of Subject Property: _____

Zoning Classification of Subject Property: _____

Size of Subject Property (in acres): _____

Size in Acres of Smallest Lot to be Created: _____

Total Number of New Lots to be Created: _____

Is Subject Property Located Within 300 Feet of a City Water or Sewer Main? [] yes [] no

Uses to be Allowed in Subdivision: [] residential [] industrial [] commercial

Is Property Located Within a 100-Year Floodplain? [] yes [] no

Supporting Information

[] Full Payment of the Required Application Fee

[] Six (6) prints or copies of a preliminary plat of the proposed subdivision satisfying all requirements of Article V, Section 4.3 of the Haleyville Subdivision Regulations.

[] A listing of the names and mailing addresses of all owners of land immediately adjoining the proposed subdivision property as their names may appear upon the plats contained in the County Tax Assessor's office and as their addresses appear in the directory of the municipality or on the tax records of the municipality or county.

[] A complete list of all local, state, and federal permits or approvals that have been applied for or secured by the applicant for the proposed subdivision as of the date of filing of this application.

Certifications

Applicant:

I hereby certify and attest that, to the best of my knowledge and abilities, the information provided in this application is true and accurate. Further, I agree to provide any additional information within my powers that may be required by the Enforcement Officer, City Engineer, or Planning Commission to determine the compliance of the proposed property construction or improvement activities with the Subdivision Regulations and Zoning Ordinance of the City of Haleyville.

Date **Applicant's Signature**

Property Owner:

I hereby certify and attest that, to the best of my knowledge and abilities, the information provided in this application is true and accurate. Further, I agree to provide any additional information within my powers that may be required by the Enforcement Officer, City Engineer, or Planning Commission to determine the compliance of the proposed property construction or improvement activities with the Subdivision Regulations and Zoning Ordinance of the City of Haleyville.

Date

Property Owner's Signature

Enforcement Officer's Information

Date Filed: _____

Received By: _____

Application Fee Received: \$ _____ **[] cash [] check #**

Date Reviewed and Deemed Complete: _____

Enforcement Officer's Signature _____

Public Hearing Date: _____

Date Public Hearing was Closed *(if different from above):* _____

Planning Commission Action on Preliminary Plat: [] Approved [] Denied

Date of Final Action by Planning Commission: _____

Planning Commission Findings and/or Special Conditions of Approval: _____

Planning Commission Chair's Signature

PRELIMINARY PLAT CHECKLIST
(Community Planning and Development Department Portion)

Name of Plat _____

Developer's Engineer _____

Copy of Plat Sent To *(check applicable spaces)*:

	Engineering Department	[]
ALDOT	[]	
County Engineer	[]	
Water and Sewer Department	[]	
Health Department	[]	
City School Board	[]	
City Legal Department	[]	

PART I: SPECIFICATIONS FOR PLAT DOCUMENT

Meets All Requirements of Section 7.1: [] yes [] no [] NA

List of Items Missing, and Remarks:

PART II: DESIGN PRINCIPLES AND STANDARDS

1. Conformity to Comprehensive Plan:
Meets Requirements of Section 4.1: [] yes [] no [] NA
Remarks: _____

2. Lot Arrangement:
Meets Requirements of Section 4.4: [] yes [] no [] NA
Remarks: _____

3. Minimum Lot Size:
Meets Requirements of Section 4.5: [] yes [] no [] NA
Remarks: _____

4. PUD:
Meets Requirements of Section 4.7: [] yes [] no [] NA
Remarks: _____

5. Condominium:
Meets Requirements of Section 4.8: [] yes [] no [] NA

Remarks: _____

6. Easements:

Meets Requirements of Section 4.10: yes no NA

Remarks: _____

7. Master Plan:

Meets Requirements of Section 6.3: yes no NA

Remarks: _____

PART III: IMPROVEMENTS

1. Parking on Multi-Family Lots:

Meets Requirements of Section 5.4(3): yes no NA

Remarks: _____

Plat Reviewed By: _____ Date _____

Additional Comments: _____

Note: Mail or deliver copy of completed Preliminary Plat Checklist to Developer's Engineer and each member of the Planning Commission at least one week before meeting of Planning Commission.

**PLANS & PROFILES/SUBDIVISION IMPROVEMENTS
CHECKLIST**

Name of Subdivision _____

Date Plans and Profiles Received by City Engineering Department _____

PART I: PLANS AND PROFILES

A. Horizontal and Vertical Geometry of Streets

1. Maximum Slope of Streets Does not Exceed:

Local Streets 13.5%
Subcollectors 12%
Collectors 8%

[] yes [] no

Date _____

Authorized Signature

2. Except for short distances, street slopes do not exceed the following:

Local Service Streets 7%
Subcollectors 5%
Collectors 4%

[] yes [] no

Date _____

Authorized Signature

3. Maximum Slope within 75' of intersection of street centerlines does not exceed 5% for local service streets or 3% for subcollectors/collectors:

[] yes [] no

Date _____

Authorized Signature

4. All streets have a minimum slope of 0.5%:

[] yes [] no

Date _____

Authorized Signature

5. Street centerline radii are not less than:

Local Service Street 100'
Subcollector 150'
Collector 230'

[] yes [] no

Date _____

Authorized Signature

6. Tangent sections between curves not less than the following lengths:

Local Service Street 100'
Subcollector 200'
Collector 600'

[] yes [] no

Date _____

Authorized Signature

7. Minimum site distance (both horizontal and vertical curves is as follows:

Local Service Street 100'
Subcollector 159'
Collector 200'

[] yes [] no

Date_____

Authorized Signature

B. Street Cross Section and Materials Standards

1. Streets conform to one of the cross sections shown in Figures 1, 2, or 3.

[] yes [] no

Date_____

Authorized Signature

2. If answer to B.1. above is no, then an optional cross-section acceptable to the City Engineer is used.

[] yes [] no

Date_____

Authorized Signature

3. Plans comply with all other provisions of Articles VI and VII.

[] yes [] no

Date_____

Authorized Signature

4. Design and specifications for curb, subbase, base, paving, and sidewalks (if applicable) meet all requirements.

[] yes [] no

Date_____

Authorized Signature

C. Storm Drainage

1. Drainage structures & facilities designed and sized per Article VIII. All calculations of pipe size and gutter runoff velocity are set forth on the plans and profiles, and have been verified.

[] yes [] no

Date_____

Authorized Signature

2. Ditches and flumes, if any, will have capacity, erosion resistance, and strength to discharge runoff from design storm without suffering damage or requirement more than usual maintenance.

[] yes [] no

Date_____

Authorized Signature

D. Sanitary Sewers

1. Sanitary sewer design conforms to Article IX and all other requirements of Engineering Department.

[] yes [] no

_____ Date _____
Authorized Signature

2. Developer has planned oversized sewers to serve vacant, developable upstream land and has prepared cost estimates, per Article IX, Section 902, as applicable.

[] yes [] no

_____ Date _____
Authorized Signature

3. Sewage lift station(s), if any, meet all City and Water Works and Sewer Board specifications.

[] yes [] no

_____ Date _____
Authorized Signature

E. Water Facilities

1. Water facilities meet the City and Water Works and Sewer Board specifications and Article X.

[] yes [] no

_____ Date _____
Authorized Signature

F. Erosion Control

1. Erosion Control Plan meets the requirement of Article XI.

[] yes [] no

_____ Date _____
Authorized Signature

Remarks on plans and profiles _____

To: Planning Commission

From: City Engineer

Date: _____

The plans and profiles of the herein described subdivision are [] are not [] considered satisfactory in accordance with the requirements of the Subdivision Regulations and other standards of the Engineering Department. (If not satisfactory, the following changes are needed: _____

_____)

City Engineer

Distribution of Part I:

Furnish copy to Planning Department after Plans and Profiles have been reviewed and approved. Maintain original in Engineering Department's folder on the subdivision in question.

The final plat is drawn to a scale of not less than one-inch equals one hundred feet (1" = 100') or, in the case of a metric plat, not less than one to one thousand (1:1,000 or 1cm = 10 m).

State plane monuments have been provided, as required.

All required improvements have been completed and as-built plans submitted to the City Engineer, or the only improvements remaining to be completed are final surface paving and shoulder dressing and a bond, as required by the Subdivision Regulations, has been provided.

The Source of Title/Information has been provided on the plat.

Signature of Engineer/Surveyor

Date _____

RESUBDIVISION CHECKLIST

Name of Plat _____

Developer's Engineer/Surveyor: _____

The developer has secured and presented to the Planning Director a written waiver of legal notice and hearings from all adjoining property owners.

The lots meet the requirements of all applicable regulations with respect to the lot area and width.

All required improvements as required by the Subdivision Regulations are in place.

The number of lots in the subdivision will not be increased as a result of the re-subdivision by more than two (2) lots or five percent (5%) of the total number of lots, whichever is greater.

No public interest in a street, easement, or the like shall be impaired or placed in doubt as a result of the resurvey.

The Final Plat document meets all requirements of Article III, Section 310.

Yes	No	NA

Plat Reviewed By _____

Date _____

PLAT APPROVED FOR SIGNATURE AND RECORDATION

Signature of Reviewer

Date _____

Note: Place a copy of completed checklist in subdivision folder.