

# Subdivision Regulations

Accident, Maryland

TOWN OF ACCIDENT

Richard W. Carlson, Mayor  
Thomas Georg, Councilman  
Charles Hahn, Councilman  
Ed Golden, Councilman  
David Hook, Councilman

Ruth Ann Hahn, Town Clerk

Accident Municipal Planning Commission

Charles Hahn, Chairman  
Cory Bergstrom, Member  
Thomas Georg, Member  
Christine Johnson, Member  
Lynn Patton, Member

RESOLUTION OF ADOPTION

A RESOLUTION TO REPEAL AND RE-ENACT, WITH AMENDMENTS

“SUBDIVISION REGULATIONS FOR ACCIDENT, MARYLAND” AS

ORIGINALLY ADOPTED DECEMBER 6, 1971

Pursuant to authority conferred upon the Accident Municipal Planning Commission by Section 5.00 of Article 66B of the Annotated Code of Maryland, as amended, the following Subdivision Regulations for Accident, Maryland are hereby established as minimum requirements of the Accident Municipal Planning Commission as approved by the Mayor and Town Council of Accident, Maryland.

Approved \_\_\_\_\_

ACCIDENT MUNICIPAL  
PLANNING COMMISSION

Attest:

\_\_\_\_\_  
(Secretary)

By \_\_\_\_\_  
(Charles Hahn, Chairman)

Approved \_\_\_\_\_

MAYOR & TOWN COUNCIL,  
ACCIDENT, MARYLAND

Attest:

\_\_\_\_\_  
Ruth Ann Hahn,  
Town Clerk

By \_\_\_\_\_  
Richard W. Carlson, Mayor

TABLE OF CONTENTS

|               |   | <u>PAGE</u> |
|---------------|---|-------------|
| ARTICLE I.    | INTRODUCTION.....   | 5           |
| ARTICLE II.   | DEFINITIONS.....  | 6           |
| ARTICLE III.  | CONTROL AND PENALTIES.....  | 11          |
| ARTICLE IV.   | PROCEDURE.....  | 14          |
|               | PART A. TENTATIVE SKETCH PLAN.....  | 14          |
|               | PART B. PRELIMINARY PLAT – MAJOR.....   | 16          |
|               | PART C. FINAL PLAT – MAJOR.....   | 18          |
|               | PART D. ACCEPTANCE OF STREETS AND<br>IMPROVEMENTS BY THE TOWN.....                                  | 21          |
|               | PART E. MINOR SUBDIVISIONS.....   | 22          |
|               | PART F. LOT LINE ADJUSTMENTS.....   | 24          |
| ARTICLE V.    | RECORDING OF FINAL PLAT.....  | 25          |
| ARTICLE VI.   | GENERAL DESIGN STANDARDS.....   | 28          |
| ARTICLE VII   | REQUIRED IMPROVEMENTS.....  | 32          |
| ARTICLE VIII. | IMPROVEMENT GUARANTEES.....   | 35          |
| ARTICLE IX.   | APPLICATION AND PLAN REQUIREMENTS.....  | 37          |
| ARTICLE X.    | ADMINISTRATION.....   | 46          |
| <br>          |   |             |
| APPENDIX A    | SPECIFICATION AND DESIGN STANDARDS<br>FOR ROADS, STREETS, WATER, SEWERAGE,<br>AND IMPROVEMENTS..... | 48          |
|               | ARTICLE I STREETS AND ROADS.....  | 49          |
|               | ARTICLE II STREET SIGNS.....  | 50          |
|               | ARTICLE III SANITARY SEWERAGE SYSTEM.....   | 51          |
|               | ARTICLE IV WATER SUPPLY SYSTEM.....   | 62          |
|               | ARTICLE V MONUMENTS.....  | 77          |
| APPENDIX B    | SUBDIVISION APPLICATION.....  | 79          |
| APPENDIX C    | CHECKLIST FOR TENTATIVE SKETCH PLAN.....  | 81          |
| APPENDIX D    | CHECKLIST FOR PRELIMINARY PLAT – MAJOR.....   | 82          |
| APPENDIX E    | CHECKLIST FOR FINAL PLAT – MAJOR.....   | 84          |
| APPENDIX F    | CHECKLIST FOR MINOR SUBDIVISIONS.....   | 86          |
| APPENDIX G    | CHECKLIST FOR LOT LINE ADJUSTMENT.....  | 88          |
| APPENDIX H    | PUBLIC WORKS AGREEMENT.....   | 89          |

## ARTICLE I. INTRODUCTION

### Section 100 Purpose

The purpose of these Regulations is to regulate and control the division of land within Accident, in order to promote the public health, safety, morals and general welfare of the Town.

### Section 101 Intent

It is the general intent of these Regulations to regulate the division of land as to:

- a. assure sites suitable for building purposes and human habitation, and to provide for the harmonious development of Accident;
- b. coordinate existing streets with proposed streets;
- c. insure adequate open space for traffic, recreation, light and air;
- d. further the orderly and appropriate development of land;
- e. regulate the flow of traffic in the streets and highways; and
- f. facilitate adequate provision for transportation, water, sewerage, schools, parks and other public facilities.

### Section 102. Short Title

These Regulations may be cited as the “Accident Subdivision Regulations.”

### Section 103 Jurisdiction and Interpretation

These Regulations shall apply to all land located within the incorporated area of Accident.

The provisions of these Regulations shall be held to be minimum requirements to meet the stated purpose and intent of these regulations. Where the provisions of these Regulations impose greater restrictions than those of any statute, other regulations or ordinance, the provisions of these Regulations shall prevail. Where the provisions of any statute, other regulations or ordinance impose greater restrictions than those of these Regulations, the provisions of such statute, regulation or ordinance shall prevail.

## ARTICLE II. DEFINITIONS

### Section 200 General

- a. For the purposes of these Regulations, words and terms used herein shall be interpreted as listed in Section 201 of these Regulations.
- b. For the purpose of these Regulations, words and terms used herein shall be interpreted as follows:
  - 1) words used in the present tense include the future;
  - 2) the singular includes the plural;
  - 3) the word “person” includes a corporation, institution, partnership and association as well as the individual;
  - 4) the word “lot” includes the word “plot” or “parcel”;
  - 5) the word “Commission” and the words “Planning Commission” always means the Accident Municipal Planning Commission;
  - 6) the word “Council” and the words “Town Council” shall always mean the Accident Town Council;
  - 7) the word “County” shall always mean Garrett County;
  - 8) the word “Town” shall always mean the Town of Accident.
- c. Any word or term not defined herein shall be used with a meaning of standard usage as determined by the Subdivision Administrator, within the context of the word’s use within the applicable section of these Regulations.

### Section 201 Definitions

When used in these Regulations, the following words, terms and phrases shall have the following meanings, unless expressly stated otherwise or unless the context clearly indicates otherwise:

1. Alley. A minor way which is used primarily for vehicular service access to the back or the side of properties otherwise abutting a street.

2. Applicant. Any person who submits to the Planning Commission or Subdivision Administrator subdivision plans for the purpose of obtaining approval thereof.
3. Arterial Road. A public road intended to provide for high-speed travel.
4. Building. A structure having a roof which is used or intended to be used for the shelter or enclosure of persons, animals or property. The word “building” shall include any part thereof.
5. Building Setback Line. The rear line of the minimum required front yards. The building setback line shall be measured from the further right-of-way line.
6. Cul-de-Sac. A type of road which is terminated at one end by a permitted turn-around and which intersects another road at the other end.
7. Driveway. A privately owned, constructed and maintained vehicle accessway from a street to individual buildings, and which does not meet the definition of a road or an alley.
8. Easement. A grant of the use of a parcel of land to the use of the public, a corporation or person for a specific purpose, without including title to the land.
9. Grade. The elevation of ground or paving.
10. Improvements. Those physical additions, installations, and changes, such as streets, curbs, sidewalks, water mains, sewers, drainage facilities, public utilities and other appropriate items required to render land suitable for the use proposed.
11. Lot. A parcel of land used or set aside and available for use as the site of one or more buildings and buildings accessory thereto or for any other purpose, in one ownership and not divided by a street nor including any land within the limits of a public or private street right-of-way.
12. Lot Line. A boundary property line of a lot.
  - A. Front Lot Line. The legal road right-of-way line. If a “future” right-of-way width is designated and legally adopted pursuant to Article 66B, then the front lot line shall be such future right-of-way line.

- B. Rear Lot Line. Any lot line that is approximately parallel to or within 45 degrees of being parallel to a road right-of-way line. In the case of a corner lot, the owner shall have the option of choosing which of the two lot lines that do not abut roads to be considered a rear lot line. In the case of a lot having no road frontage or an irregular shape, then the lot line furthest from the road shall be considered the rear lot line.
  - C. Side Lot Line. Any lot line that is not a Front Lot Line or a Rear Lot Line.
13. Lot Line Adjustment. The revision or deletion of one or more lot lines in such a way that all of the following are true:
- A. No new lots will be created beyond what was previously approved.
  - B. No additional road segments or significant changes in alignment are proposed other than what was previously approved, and
  - C. No additional nonconformities will be created under the Accident Zoning Ordinance.
14. Lot Width. The horizontal distance between side lot lines, measured along the “building setback line” unless specifically stated otherwise.
- A. Where a minimum front yard is not established under the Accident Zoning Ordinance, then the minimum lot width shall be measured 50 feet back from the road right-of-way line, unless specifically stated otherwise.
  - B. Around the bulb of an approved cul-de-sac turnaround, the minimum Lot Width may be reduced by 40 percent.
15. Major Collector. A public road intended to serve as the primary access for a major subdivision.
16. Minor Collector. A public road intended to serve as the primary access for a minor subdivision.
17. Plat or Plan. A map of a subdivision and accompanying notations.
- 1. Sketch Plat or Plan. An informal plan, identified with the title “Sketch Plat” on the map, indicating the general layout of the proposed subdivision.
  - 2. Preliminary Plat or Plan. A complete plan identified with the title “Preliminary Plat” accurately showing proposed roads and



lot layout and such other information as required by these Regulations.

3. Final Plat or Plan. A complete and exact plan identified with the title “Final Plat” including the plan prepared for official recording as required by these Regulations to define property rights and proposed roads and other improvements.

18. Right-Of-Way. A strip of land occupied or intended to be occupied by a street, alley, crosswalk, sanitary or storm sewer, drainage ditch or for another special use. The usage of the term “right-of-way” for land plotting purposes in the Town shall mean that every right-of-way hereafter established and shown on the final plat is to be separate and distinct from lots or parcels adjoining such right-of-way, and not included with the dimensions of areas of such lots or parcels.

19. Right-Of-Way – Future.

1. the right-of-way width required for the expansion of existing streets to accommodate anticipated future traffic loads;
2. a right-of-way established to provide future access to or through undeveloped land.

20. Secondary Road. A public road intended to service lots in a minor subdivision which are not serviced by a minor collector.

21. Street. A public or private way used or intended to be used for passage or travel by automotive vehicles and pedestrians and to provide access to abutting properties.

22. Street Line. The dividing line between the street and the lot. The street line shall be the same as the legal right-of-way line provided that where a future right-of-way width for a street has been officially established, the street line shall be the side of the future right-of-way so established.

23. Subdivision. “Subdivision” means the division of a lot, tract or parcel of land into two or more lots, plats, sites or other divisions of land for the purpose, whether immediate or future, of sale or of building development. It includes resubdivision and , when appropriate to the context, relates to the process of resubdividing or to the land or territory subdivided.

24. Subdivision, Major. Any subdivision of land which does not qualify as a “minor subdivision.”

25. Subdivision, Minor. “Subdivision, Minor” means the division of a single lot, tract or parcel of land into four (4) or fewer lots, tracts or parcels of land for the purpose, whether immediate or future, of transfer ownership or of building development, provided the proposed lots, tracts or parcels of land thereby created have frontage on an improved public street or streets, and providing further that there is not created by the subdivision any new street or streets.
1. To discourage numerous piecemeal subdivisions, if five (5) or more new lots have received final subdivision approval from the same parent tract within the previous three (3) years, then any new proposed lot shall meet the requirements for a major subdivision.
26. Subdivision Administrator. The County staff-person(s) designated by the County Planning & Zoning Office with the responsibility of administering these subdivision Regulations.
27. Surveyor. A person licensed to practice land surveying in the State of Maryland.

### ARTICLE III. CONTROL AND PENALTIES

#### Section 300 Subdivision Control

It shall be unlawful for the owner of any land within the jurisdiction of the Town to which the Regulations may apply, or any other person, firm or corporation, to subdivide any lot, tract or parcel of land, or layout, construct, open or dedicate for public use or travel, any street, sanitary sewer, storm sewer, drainage facilities, or other facilities in connection therewith, or for the common use of occupants of buildings within the subdivision, unless or until:

- a. a plat of such subdivision is caused to be made in accordance with the regulations set forth herein and in Section 5.00 of Article 66B of the Annotated Code of Maryland, as amended;
- b. approval is secured thereof from the Planning Commission or Subdivision Administrator as provided herein; and
- c. copies of said plat are recorded in the office of the Clerk of the Circuit Court of Garrett County.

#### Section 301 Plat Approval Required

No plat of any subdivision shall be recorded until it shall have been submitted to and approved by the Planning Commission or Subdivision Administrator as provided herein. The Commission or Subdivision Administrator shall not approve said plat unless it is satisfied that the requirements of these Regulations have been complied with.

#### Section 302 Transfer of Land – Issuance of Building Permits

- a. No land in a subdivision created after the adoption of these, or previously adopted, Regulations shall be transferred, sold or offered for sale, nor shall a building permit be issued for a structure thereon, until a Final Plat of such subdivision shall have been recorded in accordance with these Regulations and the provisions of the State, and until the public improvements required in connection with the subdivision have either been constructed or guaranteed as hereinafter provided;

- b. No building depending upon public water and sewerage facilities shall be permitted to be occupied before such facilities are fully provided and operational.

Section 303 Exemptions

1. Lots Over 25 Acres. The requirements of these Regulations shall be temporarily waived if a new lot is proposed with a lot area exceeding 25 acres, provided the lot includes a deed restriction stating that the lot will not be used for two or more dwelling units or a principle industrial or commercial use (other than agricultural or forestry uses).
  - a. Such deed restriction shall provide that if the lot in the future is proposed for two or more dwelling units or a principle industrial or commercial use, then the lot shall be required to be approved under the Accident Subdivision Regulations, as amended, and to meet all requirements of such Regulations. The deed restriction shall be enforced by the Town of Accident.
  - b. A plan shall be submitted showing the proposed lot lines. Such plan shall require a signature of the Chairman of the Planning Commission, and be recorded in the County Land Records Office.
  - c. If a lot of less than 25 acres results from the same subdivision, such lot shall still be required to comply with these Regulations.
2. Merger of Lots. The merger of two or more existing lots into a single lot shall not be regulated under these Regulations, provided that the merger is recorded with a restriction that the pre-existing lots shall not be sold as individual lots.
3. Lots with No Buildings. The requirements of these Regulations shall not apply to a lot that is permanently deed restricted to prohibit any new buildings on the lot, except utility buildings of less than 500 square feet of floor area. The deed restriction shall be enforceable by the Town of Accident. This provision is intended to provide for stormwater detention basins, sewage pumping stations, community wells, protected open space, communications antennae and similar facilities.
  - a. A plan shall be submitted showing the proposed lot lines and proposed facilities. Such plan shall require a signature of the Chairman of the Planning Commission, and be recorded in the County Land Records Office.

4. Road and Utility Improvements. The purchase, dedication or condemnation of right-of-way or easements for improvements to a road or for stormwater or utility improvements shall not by itself cause a need for approval under these Regulations.
5. Boundary Settlement. The settlement of a disputed property boundary line between existing lots of record shall not, by itself, require approval under these Regulations.

Section 304 Penalty

1. Whoever being the owner or agent of the owner of any land located within a subdivision transfers or sells or agrees to sell or negotiate to sell any land by reference to or exhibition of or by other use of a plat of a subdivision, before the plat has been approved by the Planning Commission or Subdivision Administrator and recorded and filed in the Office of the Garrett County Land Records, shall forfeit and pay a civil penalty of not less than \$200 and not more than \$1,000 in the discretion of the court, for each lot or parcel so transferred or sold or agreed or negotiated to be sold.
2. If any person or entity violates a provision of these Regulations, such violation shall be a misdemeanor, punishable by a fine of \$500 per violation, with each day that the violation occurs representing a separate violation.
3. The description of the 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 penalties or from the remedies herein provided.
4. The Town may enjoin the transfer or sale or agreement by action for injunction brought in any court of equity jurisdiction or may recover the penalty by civil action in any court of competent jurisdiction.

## ARTICLE IV. PROCEDURE

### Section 400 Introduction

The procedure hereinafter specified provides not only for the conditional approval of a preliminary plat and approval of a final plat, but also for a pre-application tentative sketch plan. The tentative sketch plan procedure is optional to the applicant and is not a prerequisite to the approval of the final plat. However, this optional procedure is strongly recommended because it provides the applicant with an opportunity to resolve problems early in the proceedings and to make necessary modifications and revisions prior to incurring the expense of preparing a preliminary and final plat.

### PART A. TENTATIVE SKETCH PLAN

#### Section 401 Purpose

The purpose of the “Tentative Sketch Plan” is to afford the applicant the opportunity to consult early and informally with the Subdivision Administrator and Planning Commission before preparation of the preliminary plat and formal application for approval.

During the “Tentative Sketch Plan” procedure, the applicant can advantageously make use of the services of the Subdivision Administrator as well as the Planning Commission to help him analyze the problem of the development and plan more adequately for its sound coordination with the community. This procedure also affords the Subdivision Administrator and the Planning Commission the opportunity to give informal guidance to the applicant at a stage when potential points of difference can be more easily resolved. It can also simplify official actions and save unnecessary expense and delay.

#### Section 402 Sketch Plat Submission.

A. Submission Requirement. If submitted, three (3) print copies of the Sketch Plan and the accompanying application should be submitted to the Subdivision Administrator at least ten (10) business days prior to a Planning Commission meeting.

B. Drawing Requirements. The Tentative Sketch Plan should be drafted to approximate scale and is recommended to include the following as applicable.

1. Boundary line of the development
2. Significant physical features (such as approximate areas of steep slopes, quarries, creeks, major drainage channels, concentrations of possible wetlands and 100 Year Floodplains).

3. Proposed lot and road layout with approximate areas of lots (such as “2 acres”).
4. Acreage of the tract and proposed number of lots
5. Minimum lot area from the Accident Zoning Ordinance
6. North arrow, approximate scale and a tentative name of the project (may be the developer’s name).
7. Approximate proposed locations of any non-residential buildings (if known) and statement of the general proposed types of any non-residential uses.
8. A map showing the general location of the project in relation to nearby roads (may be a photocopy of USGS or County base map or a commercial map).
9. Tentative approximate locations of any storm water detention basins.
10. Any proposed common open space or areas of conservation easements.
11. Note stating the general methods of providing water and sewer service.
12. Uses of adjacent properties (such as “single family detached dwelling” or “gas station”).
13. Name and address of person responsible for the preparation of the plan and the date of preparation/last revision.

Section 403 Procedure

- A. Applicant prepares sketch plan and application;
- B. Applicant submits three (3) copies of the sketch plan and application to the Subdivision Administrator;
- C. Subdivision Administrator checks submission against a checklist for completeness; and
  - 1) if submission is incomplete, immediately returns submission to applicant and indicates deficiencies; or
  - 2) if submission is complete, accepts sketch plan and application.
- D. Subdivision Administrator shall immediately distribute copies of the sketch plan and application to:
  - 1) Town Council----- one (1) copy
  - 2) Planning Commission----- one (1) copy
  - 3) One (1) copy shall be retained by the Subdivision Administrator.
- E. At the next regularly scheduled meeting following receipt of the complete submission by the Subdivision Administrator, the Planning Commission:

- 1) receives and reviews the applicant's submission;
  - 2) receives and reviews any comments by the Town Council;
  - 3) hears applicant's presentation; and
  - 4) discusses submission with the applicant
- F. The Planning Commission, either the same evening or at least within one (1) week following the receipt of the applicant's submission by the Commission, shall:
- 1) evaluate applicant's submission, presentation, discussion with applicant, and the Town Council's comments, if any;
  - 2) determine whether the sketch plan meets the objectives and requirements of the "Subdivision Regulations" and other regulations and ordinances; and
  - 3) inform the applicant in writing of the decision, including required changes in the sketch plan and the reasons for the decision.
- G. The Checklist for Tentative Sketch Plans can be found in Appendix C of these Regulations.

**PART B. PRELIMINARY PLAT - MAJOR**

**Section 403 Purpose**

The purpose of the preliminary plat is to require formal conditional approval in order to minimize changes and revisions before a final plat is submitted.

**Section 404 Submission**

A. Preliminary Plat Required. A preliminary plat and all information and procedures relating thereto shall in all respects be in compliance with the provisions of these Regulations, except where variation therefrom may be specifically authorized in writing by the Planning Commission. A Preliminary Plat submission for a "Minor Subdivision" or a "Lot Line Adjustment (as each are defined in Article II) or minor adjustments to a previously approved plat shall meet the simplified submission requirements of Parts E & F of this Article.

B. Required Submission.

- 1) The Applicant shall file with the Subdivision Administrator at least 10 business days prior to a regular Planning Commission meeting: a) the required fees, and b) the information and plans required in Appendix D.
- 2) Applicant's Distribution. The applicant is fully responsible to: a) contact utility providers to gain approval for utilities, and b) obtain any needed permits or approvals from State and Federal



agencies, such as approval from the State Highway Administration for any work within the right-of-way of a State road or access to a State road.

Section 405 Procedure.

- A. Applicant prepares preliminary plat and application;
- B. Applicant submits three (3) copies of the preliminary plat and application to the Subdivision Administrator;
- C. Subdivision Administrator checks submission against checklist for completeness; and
  - 1) if submission is incomplete, immediately returns submission to applicant and indicates deficiencies;
  - 2) if submission is complete, accepts preliminary plat, application and fees.
- D. Subdivision Administrator shall immediately distribute copies of the preliminary plat and application to:
  - 1) Town Council----- one (1) copy
  - 2) Planning Commission----- one (1) copy
  - 3) One (1) copy shall be retained by the Subdivision Administrator.
- E. At the next scheduled Planning Commission meeting following receipt of the complete submission to the Subdivision Administrator, the Planning Commission:
  - 1) receives and reviews the applicant’s submission;
  - 2) receives and reviews any comments by the Town Council; and
  - 3) hears applicant’s presentation.
- F. The Planning Commission, either the same evening or at least one (1) month following the receipt of the applicant’s submission by the Commission, shall:
  - 1) evaluate applicant’s submission, presentation, discussion with the applicant, and the Town Council’s comment, if any;
  - 2) determine whether the preliminary plat meets the objectives and requirements of the “Subdivision Regulations” and other regulations and ordinances; and
  - 3) inform the applicant in writing of the decision including required changes in the preliminary plat and the reason for the decision.
- G. Approval of the preliminary plat shall constitute conditional approval of the subdivision as to character and intensity but shall not constitute

approval of the final plat or authorize sale of lots or construction of buildings.

- H. Joint Preliminary/Final Approval. At the discretion of the Planning Commission, the Commission may grant combined preliminary/final plat approval if:
  - 1) the preliminary plat submission also meets all of the requirements of a final plat submission and
  - 2) the Commission determines that there are no significant outstanding matters.
- I. Final Plat Submission Deadline.
  - 1) an applicant shall file a Final Plat within 1 year from the date of Preliminary Plat approval by the Planning Commission, unless a written extension is granted by the Planning Commission for good cause. Such Final Plats may be submitted in phases, as provided in Part C in this Section.
  - 2) Failure to comply with this requirement shall render the Preliminary Plat null and void, and a new Preliminary Plat submission and approval shall be required.

Section 406 Preliminary Plat Requirements for a Major Subdivision.

- A. All of the following information and materials listed in this Section are required as part of all preliminary plats for any major subdivision. This list of requirements shall serve both: 1) to establish the requirements, and 2) as a checklist for the applicant and the Town to use to make sure the submission is complete. The applicant shall submit completed photocopies of this section as part of the application.
- B. The required information listed in this Section may be combined or separated onto different sheets, provided that all information is clearly readable.
- C. The Checklist for Preliminary Plats can be found in Appendix D of these Regulations.

PART C. FINAL PLAT – MAJOR

Section 407 Purpose

The purpose of the final plat is to require formal approval by the Planning Commission before plats for major subdivisions are recorded as required by Section 300 of these Regulations.

Section 408 Submission

A. Final Plat Required. A Final Plat submission for each major subdivision must be filed by the Applicant and reviewed in accordance with the provisions of this Section. A Final Plat shall only be submitted after a Preliminary Plat has been approved by the Planning Commission.

B. Required Submission.

1) The Applicant shall file with the Subdivision Administrator at least 10 business days prior to a regular Planning Commission meeting: a) the required fees, and b) the information and plans required in Appendix E.

2) Applicant's Distribution. The applicant is fully responsible to: a) contact utility providers to gain approval for utilities, b) obtain any needed permits or approvals from State and Federal agencies, such as approval from the State Highway Administration for any work within the right-of-way of a State road or access to a State road, and c) applying for permits under the County Soil Erosion and Sediment Control and Floodplain Ordinances.

C. Revisions. A list of revisions from a previously submitted plat shall be provided whenever a revised plat is submitted.

Section 409 Procedure.

A. Applicant prepares final plat and application;

B. Applicant submits four (4) copies of the final plat and application to the Subdivision Administrator within one (1) year from the date of receiving conditional approval of the preliminary plat;

C. Subdivision Administrator checks submission against checklist for completeness; and

- 1) if submission is incomplete, immediately returns submission to applicant and indicates deficiencies;
- 2) if submission is complete, accepts final plat, application and fees.

D. Subdivision Administrator shall immediately distribute copies of the final plat and application to:

- 1) Town Council----- one (1) copy
- 2) Planning Commission----- one (1) copy
- 3) Garrett County Planning Commission---- one (1) copy
- 4) One (1) copy shall be retained by the Subdivision Administrator.

E. At the next scheduled Planning Commission meeting following receipt of the complete submission to the Subdivision Administrator, the Planning Commission:

- 1) receives and reviews the applicant's submission;
- 2) receives and reviews any comments by the Town Council;
- 3) hears applicant's presentation; and
- 4) discusses submission with the applicant.

F. The Planning Commission, either the same evening or at least one (1) month following the receipt of the applicant's submission by the Commission, shall:

- 1) evaluate applicant's submission, presentation, discussion with the applicant, and the Town Council's comment, if any;
- 2) determine whether the final plat meets the objectives and requirements of the "Subdivision Regulations" and other regulations and ordinances; and
- 3) inform the applicant in writing of the decision including required changes in the final plat and the reason for the decision.

G. If approved:

- 1) the Planning Commission shall pass a motion formally approving the final plat;
- 2) approval shall not be final until any required entry into contract and production of completion guarantee is finalized as set forth in Article VII; and
- 3) the applicant will then prepare and submit for recording to the Clerk of the Circuit Court of Garrett County one (1) copy of the approved final plat on mylar or other stable reproducible material with the required signatures.

Section 410 Effect of Recording

A. Streets, parks and other public improvements shown on a subdivision plat to be recorded may be offered for dedication to the Town by formal notation thereof on the plat, or the owner may note on the plat that such improvements have not been offered for dedication to the Town.

B. Recording of the final plat by the applicant shall not be deemed to constitute or affect an acceptance by the public of the dedication of any street or other proposed public park or improvement shown on said plat, but improvements so noted for dedication may be accepted by the public through any subsequent appropriate act.

Section 411 Development in Phases.

A. If requested by the applicant, the Planning Commission may permit the applicant to submit Final Plats, record portions of an approved Final Plat and/or complete required improvements in a logical series of phases, provided that such phases comply with an approved Preliminary Plat for an entire development.

B. If such phasing is permitted, each phase shall provide sufficient access, utilities and amenities to allow the development to properly function if future stages are not built.

C. The boundaries of phases and the timing of related improvements shall be subject to the approval of the Planning Commission.

Section 412 Final Plat Requirements

All of the information and materials listed on the Checklist in Appendix E are required as part of all final plats for a major subdivision. This list of requirements shall serve as both a list of requirements, and as a checklist for the applicant and the Town to ensure completion of submissions. The applicant shall submit completed photocopies of Appendix E as part of the application.

PART D. ACCEPTANCE OF STREETS AND IMPROVEMENTS BY THE TOWN

Section 413 Preliminary Inspection

A. The applicant shall notify the Subdivision Administrator of the completion of the required improvements.

B. The Subdivision Administrator shall:

- 1) inspect the completed required improvements; and
- 2) submit in writing a report to the Town Council specifying those items of construction, material and workmanship which do not comply with the Town specifications or the approved final plat.

C. The applicant upon notification from the Subdivision Administrator shall:

- 1) proceed, at his own cost, to make such corrections as shall be required to comply with the Town specifications and approved final plats; and
- 2) notify the Subdivision Administrator and Town Council upon completion, requesting final inspection.

Section 414 Final Inspection

The Town Council and Subdivision Administrator shall make a final inspection with the applicant of all required improvements.

Section 415 Acceptance

The Town Council shall notify the applicant in writing of acceptance of the required improvements if satisfied that the applicant has complied with all specifications and ordinances of the Town.

PART E MINOR SUBDIVISIONS

Section 416 Purpose

These specifications provide simplified procedures for submitting and reviewing minor subdivisions.

Section 417 Submission

The following submission requirements shall apply for Minor Subdivisions, annexations to a lot and what the Town determines to be minor revisions of approved plats.

A. Final Plat Requirements. A Final Plat Submission for each Minor Subdivision must be filed by the Applicant and reviewed in accordance with the provisions of this Section. A Preliminary Plat is not required for a minor subdivision.

B. Required Submission

- 1) The applicant shall file to the Subdivision Administrator at least 10 business days prior to a scheduled Planning Commission meeting the required fee(s) and required number of plats and materials as specified in Section 418.
- 2) Each Final Plat filed for minor subdivisions shall provide the information required in Appendix F.
- 3) Applicant's Distribution. The applicant is fully responsible to:
  - a) contact utility providers to gain approval for utilities, and b) obtain any needed permits or approvals from State and Federal agencies, such as approval from the State Highway Administration for any work within the right-of-way of a State road or access to a State road.

Section 418 Procedure

A. Applicant prepares final plat and application;

- B. Applicant submits three (3) copies of the final plat and application to the Subdivision Administrator;
- C. Subdivision Administrator checks submission against checklist for completeness; and
  - 1) if submission is incomplete, immediately returns submission to applicant and indicates deficiencies;
  - 2) if submission is complete, accepts final plat, application and fees.
- D. Subdivision Administrator shall immediately distribute copies of the final plat and application to:
  - 1) Town Council----- one (1) copy
  - 2) Planning Commission----- one (1) copy
  - 4) One (1) copy shall be retained by the Subdivision Administrator.
- E. At the next scheduled Planning Commission meeting following receipt of the complete submission to the Subdivision Administrator, the Planning Commission:
  - 1) receives and reviews the applicant’s submission;
  - 2) receives and reviews any comments by the Town Council;
  - 5) hears applicant’s presentation; and
  - 6) discusses submission with the applicant.
- F. The Planning Commission, either the same evening or at least one (1) month following the receipt of the applicant’s submission by the Commission, shall:
  - 1) evaluate applicant’s submission, presentation, discussion with the applicant, and the Town Council’s comment, if any;
  - 2) determine whether the final plat meets the objectives and requirements of the “Subdivision Regulations” and other regulations and ordinances; and
  - 3) inform the applicant in writing of the decision including required changes in the final plat and the reason for the decision.
  - 4) If approved, pass a motion formally approving the final plat
  - 5) Approval of the final plat by the Planning Commission shall not be deemed to constitute or affect an acceptance by the public of the dedication of any street or other proposed public park or improvement shown on said plat, but improvements so noted for dedication may be accepted by the public through any subsequent appropriate act.

All of the information and materials listed on the Checklist in Appendix F are required as part of all final plats for a minor subdivision. This list of requirements shall serve as both a list of requirements, and as a checklist for the applicant and the Town to ensure completion of submissions. The applicant shall submit completed photocopies of Appendix F as part of the application.

## PART F LOT LINE ADJUSTMENTS

### Section 420 Purpose

These specifications provide simplified procedures for submitting and reviewing lot line adjustments.

### Section 421 Submission

The applicant shall file to the Subdivision Administrator an application and a completed photocopy of the checklist provided in Appendix G.

### Section 422 Additional Information

The Subdivision Administrator may require that a plat under this section include the submission of specific additional information that would be required if the plat would be a final minor subdivision plat, if such specific information is necessary to determine compliance with these Regulations.

### Section 423 Streamlined Approval

An application under this Section may be approved by and signed by the Chairperson or Acting Chairperson of the Planning Commission, as opposed to the entire Planning Commission, if the Subdivision Administrator provides a statement in writing that the submission complies with these Regulations.



ARTICLE V. RECORDING OF FINAL PLAT

Section 500 Recording

A. The applicant is responsible to make sure that the Final Plat as approved by the Planning Commission is recorded in the Garrett County Land Records Office after Final Plat approval. The applicant shall then mail or deliver a receipt of the recording to the Subdivision Administrator.

B. Conditions. If the Final Plat approval included official conditions that must be met prior to recording, then the plat shall not be recorded until after the applicant provides evidence of such compliance to the Subdivision Administrator.

C. Phasing and Time Limit. As provided in Section 411 of these Regulations, the Planning Commission shall allow different portions of an approved Plat to be recorded in a series of phases. However, if any portion of an approved Final Plat is not recorded within 20 years after the date of Final Plat approval, then such approval shall become null and void, unless a written extension is granted by the Planning Commission after the applicant shows good cause.

Section 501 Signature

A subdivision plat shall not be recorded unless the Plat bears an original signature of the Chairperson or Acting Chairperson of the Planning Commission.

Section 502 Exception for Single Lots

If a single new lot or lot line adjustment is approved, then the lot is not required to follow the formal plat recording process, providing the following requirements are met:

A. In place of the formal recording, a plat showing the lot shall be recorded with the grantee's deed. Such plat is intended to be approximately 8.5 by 14 inches in size, and may be on paper. Such plat shall meet Section 501.

B. A maximum of one lot per calendar year per parent tract shall be permitted to be exempted under this Section.

C. Such plat shall be certified by a licensed surveyor.

- D. A deed description shall only be based upon a reference to a plat if that plat is officially filed.
- E. The lot shall still need to be submitted and approved as a Minor Subdivision under Article IV. Part E of these Regulations.
- F. To be eligible for this simplified process, any new lot must be along an existing road, or else meet all road requirements of these Regulations.

Section 503 Record Plat

The applicant shall provide to the County Land Records Office clear and legible copies of the Final Approved Plat in the format required by such office, except as provided in Section 502 (Note- As of 1996, such Office required that three copies be provided in black ink on transparent mylar, at a size of 18 by 24 inches, with a 1.5 inch wide left margin for binding, and with a minimum thickness of mylar of 3 to 5 mils.) Mylar copies shall include original signatures and evidence of recording. Such copies shall be exact copies of those portions of the approved Final Plat that the Town requires to be recorded. Such Record Plat, at a minimum, shall include all of the following:

- A. road right-of-ways and cartways,
- B. protected open spaces and any required conservation easements,
- C. easements and any covenants that the Town required to be placed on the Final Plat,
- D. lot lines and lot dimensions,
- E. water lines, sanitary and storm sewer lines and stormwater drainage facilities,
- F. the required signatures of Town officials, including the Town Clerk and the Chairperson of the Planning Commission,
- G. notations stating whether the roads will be constructed to Town standards for a public road and whether the roads, any common open space and other proposed improvements are proposed to be offered or not offered for dedication to the County,
- H. seal and signature of a registered Land Surveyor,
- I. north arrow,
- J. certification of landowner,

- K. courses and distances of all lines shown, and
- L. locations of monuments or lot pins. (Note: As of 1996, 4 concrete or cut stone monuments were required under State law for a subdivision.)

Section 504 Effect of Recording

Every road, open space or other improvement shown on a subdivision plat that is recorded shall be deemed to be a private road, open space or improvement, until such time the road or other improvement may be officially accepted for dedication to the Town.

## ARTICLE VI. GENERAL DESIGN STANDARDS

### Section 600. Application

- a. The standards and requirements outlined herein shall be considered minimum standards and requirements for the promotion of the public health, safety, morals and general welfare.
- b. Where literal compliance with the standards herein specified is clearly impractical, the Planning Commission may modify or adjust the standards to permit reasonable utilization of property while securing substantial conformance with the objectives of these Regulations.

### Section 601. General

- a. All portions of a tract being subdivided shall be taken up in lots, streets, public lands or other proposed uses, so that remnants and landlocked areas shall not be created.
- b. Where trees, groves, waterways, scenic points, historic spots or other Town assets and landmarks are located within a proposed subdivision, every possible means shall be provided to preserve these features.
- c. Land subject to flooding or property and land deemed to be topographically unsuitable shall not be subdivided or developed for residential occupancy or for such other uses as may endanger health, life or property, or aggravate erosion or flood hazards until all such hazards have been eliminated or unless adequate safeguards against such hazards are provided by the final plats. Such land within a subdivision shall be set aside on the plat for uses that will not be endangered by periodic or occasional inundation or will not produce unsatisfactory living conditions.

### Section 602. Streets – General

- a. The arrangement, character, extent, grade and location of all streets shall conform to the Transportation Element of Accident's Comprehensive Development Plan, and shall be considered in relation to existing and planned streets, topographic conditions, public convenience and safety, and in appropriate relation to the proposed uses of the land to be served by such streets.
- b. Proposed streets shall further conform to all current State and county plans for streets and highways.

- c. Where such streets are not proposed in the Town’s Transportation Element, they shall be continuous and in alignment with existing, planned or platted streets with which they are to connect.
- d. Residential streets shall be so laid out that their use by through traffic will be discouraged.
- e. Streets that are extensions of or obviously in alignment with existing streets shall bear the names of existing streets.
- f. If a portion of a tract is not subdivided, suitable access to street openings for eventual subdivision of the entire tract shall be provided.
- g. Where stub streets are proposed abutting unsubdivided acreage, temporary easements for turn-arounds shall be provided at the boundary lines.
- h. Private streets are prohibited.
- i. Alleys are prohibited in developments of single family detached residences.

Section 603 Street Standards

- a. Where a subdivision abuts or contains an existing street of inadequate right-of-way width, a right-of-way width as required by the “Specifications and Design Standards for Roads, Streets and Improvements” (See Appendix A) shall be indicated on the plat and offered for dedication.
- b. Minimum right-of-way, horizontal alignment, vertical alignment, sight distance, curbs, curb radii, offsets and street grades shall be in accordance with “Specifications and Design Standards for Roads, Streets and Improvements.” (See Appendix A)

Section 604 Street Intersections

- a. Multiple intersections including junction of more than two (2) streets shall be avoided.
- b. Streets shall be laid out to intersect as nearly as possible at right angles. No street shall intersect another street at an angle of less than sixty (60) degrees.

- c. Whenever practicable, the number of intersections within “Arterial” and “Major Collector” roads shall be kept to a minimum, and shall be located at least one thousand (1,000) feet apart.

Section 605 Blocks

- a. Whenever practicable, blocks shall be of such width as to provide two (2) tiers of lots.
- b. Pedestrian crosswalks shall be required where deemed essential by the Planning Commission to provide circulation or access to schools, parks and other community facilities.

Section 606 Lots

- a. All lots shall abut on a street.
- b. In general, side lot lines shall be at right angles or radial to the street line.
- c. Lots excessively deep in relation to width, or lots excessively irregular in shape are to be avoided. A proportion of two and one-half (2 ½) in depth to one (1) in width shall be considered a proper maximum.

Section 607 Street Signs

All street signs shall be provided and constructed in accordance with the “Specifications and Design Standards for Roads, Streets and Improvements.” (See Appendix A)

Section 608 Storm Sewerage System

All storm sewerage systems shall be provided and constructed in accordance with the “Specifications and Design Standards for Roads, Streets and Improvements.” (See Appendix A)

Section 609 Public Sanitary Sewers and Public Water Supply

All public sanitary sewerage and public water supply systems shall be provided and constructed in accordance with the “Specifications and Design Standards for Roads, Streets and Improvements.” (See Appendix A)

Section 610 Sidewalks

All sidewalks shall be provided and constructed in accordance with the “Specifications and Design Standards for Roads, Streets and Improvements.” (See Appendix A)

Section 611 Stormwater Management Ordinance

All grading and provisions for stormwater shall be in compliance with the Garrett County Stormwater Management Ordinance.

Section 612 Soil and Erosion Control Ordinance

All grading and site development shall be in compliance with measures identified in the Garrett County Soil and Erosion Control Ordinance.

## ARTICLE VII. REQUIRED IMPROVEMENTS

### Section 700 Purpose

- a. The purpose of this article is to establish and define the public improvements which will be required to be constructed by the applicant as condition for final plat approval.
- b. All construction shall be completed in accordance with the specific conditions of the commitment and the accepted drawings and specifications, and in the manner acceptable to the Town Council, Subdivision Administrator, Planning Commission and other applicable officials.

### Section 701 Revision of Plans

When changes from the accepted drawings and specifications become necessary during construction, written acceptance by the Planning Commission with the advice of the Subdivision Administrator shall be secured before the execution of such changes.

### Section 702 Maintenance

Prior to dedication to the Town, adequate provision for the satisfactory maintenance of all streets shall be made by the applicant. Further adequate provisions for the satisfactory maintenance of all streets shall be made by dedication to, and acceptance for maintenance by the Town, or by other acceptable means.

### Section 703 Streets

- a. The construction of streets as shown upon final plats and as contained in contract agreements shall in every respect conform to such requirements as the Town Council may by resolution require for the construction of streets in the Town. These requirements shall be known as the “Specifications and Design Standards for Streets, Roads and Improvements” (See Appendix A), and are hereby incorporated as part of these Regulations, including such changes as the Town Council may from time to time adopt by resolution. The minimum requirements for all subdivisions shall be governed by that resolution in effect at the time of the approval of the applicant’s final plat.
- b. All streets shall be graded to:
  - 1) the grades shown on the street profiles and cross-section plan submitted and approved with the final plat; and



2) the full width of the right-of-way.

Section 704 Street Signs

The applicant shall erect at every intersection a street sign or street signs having thereon the names of the intersecting streets. At intersections where streets cross, there shall be at least two (2) such street signs. Street signs shall be provided and constructed in accordance with the “Specifications and Design Standards for Streets, Roads and Improvements.” (See Appendix A)

Section 705 Storm Sewerage System

The applicant shall construct stormwater drainage facilities in order to prevent erosion, flooding and other hazards to life and property. All provisions for stormwater shall be in compliance with the Garrett County Stormwater Management Ordinance.

Section 706 Public Water Supply

Every subdivision of lots requiring a community water system as specified by zoning or health regulations, shall be provided with a complete community water supply and distribution system along with appropriately spaced fire hydrants. The source of supply shall be the Town’s water system. The community water system shall become part of the public system without cost to the Town.

Section 707 Public Sanitary Sewers

Every subdivision of lots requiring a community sewerage system as specified by zoning or health regulations, shall be provided with a complete sanitary sewerage system connected to the Town’s system and shall become a part thereof without cost to the Town.

Section 708 Monuments

- a. Monuments shall be placed at each change in direction of boundary line; two (2) to be placed at each street intersection and one (1) on one side of each street at angle points and at the beginning and end of curves; utility easements shall be monumented at their beginning and at their end, and areas to be conveyed for public use shall be fully monumented at their external boundaries.
- b. Monuments shall be placed in the ground after final grading is completed at a time specified by the Subdivision Administrator.
- c. All monuments shall be checked for accuracy by the Subdivision Administrator or their accuracy certified by the owner’s engineer.

Section 709 Curbs and Sidewalks

Unless waived by the Planning Commission, curbs and sidewalks shall be installed on either or both sides of each street except where they are deemed unnecessary by the Planning Commission for pedestrian safety or convenience. All curbs and sidewalks shall be provided and constructed in accordance with the “Specifications and Design Standards for Streets, Roads and Improvements.” (See Appendix A)

Section 710 Grading

Grading shall conform in all respects to the final plat and the requirements and standards of the “Specifications and Design Standards for Streets, Roads and Improvements” (See Appendix A), and the Garrett County Soil and Erosion Control Ordinance.

Section 711 Community Facilities

- a. Where deemed essential, the Planning Commission may require reservation of suitable land for parks, playgrounds, schools and other neighborhood purposes for the common use of all property owners in the proposed subdivision.
- b. Where the subdivision contains park areas, or other physical facilities necessary or desirable for the welfare of the area, and which are of common use or benefit, but are of such character that the Town or other public agency does not desire to maintain them, then provision shall be made by trust agreements for the proper and continuous maintenance and supervision of such facilities by the lot owners in the subdivision. Such trust agreements shall be a part of the deed restrictions and shall be acceptable to the Planning Commission.

ARTICLE VIII. IMPROVEMENT GUARANTEES

Section 800 Contracts

Before the Planning Commission shall cause its approval to be endorsed upon the final plat of any subdivision (except in the case of minor subdivisions wherein the Commission imposes no condition or conditions for the approval of the plat, and as a requisite for the approval thereof:

- a. Required improvements shall be completed, inspected and accepted by the Subdivision Administrator, Town Council and other proper authorities; or
- b. The owner shall enter into a written Public Works Agreement with the Town in the manner and form set forth by the Town Attorney where he shall agree:
  - 1) to construct or cause to be constructed, at his own expense, all streets, curbs, sidewalks, fire hydrants, drainage facilities, street signs, monuments, water and sewerage facilities, and other improvements shown on said final plat when required to do so by the Planning Commission in accordance with the final plats, as finally approved, and in strict accordance with the standards and specifications of the Town;
  - 2) to maintain at his own cost the said streets, curbs, sidewalks, fire hydrants, drainage facilities, street signs, monuments, water and sewerage facilities, and other improvements, until the same are accepted by the Town;
  - 3) to obtain the easements and releases required when any street, drainage facility, or other improvement wherein a subdivision abuts or traverses land of persons other than the person holding legal title to the lands of the subdivision, at his own cost, and to obtain from the owner of the lands so abutted or traversed full release from all damages which may change in grade, construction, or otherwise, the street, drainage facility, or other improvement, and such release shall insure to the benefit not only of the owner of the subdivision but to the Town as well.

Section 701 Guaranty

In order to assure the Town that the applicant will install at his own expense all improvements mentioned in Section 700 (b)(1) above as required by the Planning Commission in strict accordance with the final plats, as finally approved, and with the standards, regulations, and specifications of the Town and that said

improvements will be maintained by the applicant until accepted by the Town, the applicant shall furnish to the Town cash or bond with such surety as the Town Council shall approve in an amount sufficient to cover the cost, as estimated by the Subdivision Administrator, of the construction and installation of the aforesaid improvements, until the same shall be accepted by the Town.

The improvement guaranty shall be conditioned upon:

- a. The owner constructing and installing, or causing to be constructed or installed, in strict accordance with the final plat, as finally approved, and with the Town standards and specifications, the streets, curbs, sidewalks, fire hydrants, drainage facilities, street signs, monuments, water and sewerage facilities, and other improvements shown on said final plat, as the Planning Commission may require or order to construct or install.
- b. The owner maintaining at his own cost the said streets, curbs, sidewalks, fire hydrants, drainage facilities, street signs, monuments, water and sewerage facilities, and other improvements, until the same are accepted by the Town for public use.
- c. The faithful performance by the owner of the agreement provided for in these Regulations.

ARTICLE IV. APPLICATION AND PLAN REQUIREMENTS

Section 900 General

Plans are required for all subdivisions in accordance with the procedures, plan requirements, and design standards set forth in these Regulations.

Section 901 Application Requirements

For the purpose of having a subdivision reviewed and approved by the Planning Commission, the applicant shall file with the Subdivision Administrator the respective plans and applications in accordance with Article IV.

Section 902 Tentative Sketch Plan

A tentative sketch plan may be submitted by the applicant as a basis for informal discussion with the Planning Commission.

Data furnished in the tentative sketch plan shall include the following information:

- a. Name of the subdivision.
- b. Name and address of the owner.
- c. Name and address of the engineer or surveyor.
- d. Tract boundaries.
- e. North point and date.
- f. Streets or other rights-of-way on or abutting to the tract.
- g. Significant topographic, hydrographic or other physical features within the property.
- h. Proposed general street layout.
- i. Proposed general lot layout.
- j. Contours based on U.S.G.S. topography.

Section 903 Preliminary Plat

The preliminary plat shall show or be accompanied by the following information:

a. Drafting standards

- 1) The plat shall be drawn at a scale of 1" = 50' or 1" = 100'.
- 2) Dimensions, if known, shall be in feet and decimal parts thereof, and bearings in degrees, minutes and seconds.
- 3) Each sheet shall be numbered and shall show its relationship to the total number of sheets.
- 4) Where any revision is made, or when the plat is a revision of a previously approved plat, dotted lines shall be used to show features or locations to be abandoned and solid lines to show the presently proposed features.
- 5) The plat shall be so prepared and bear an adequate legend to indicate clearly which features are existing and which are proposed.
- 6) The boundary line of the subdivision shall be shown as a solid heavy line.

b. Information to be shown – General

- 1) Name of the subdivision.
- 2) Name and address of the owner.
- 3) Name and address of the engineer or surveyor responsible for the plat.
- 4) Present zoning classification.
- 5) Date, north point and scale.
- 6) A location map for the purpose of locating the site to be subdivided at a scale of not less than eight hundred (800) feet to the inch showing the relation of the tract to adjoining property and to all streets and municipal boundaries existing within one thousand (1,000) feet of any part of the property proposed to be subdivided.
- 7) The words "Preliminary Plat – Not To Be Recorded" shall be shown on the plat.

c. Existing features

- 1) The total area of the property, in acres, and the complete boundary survey description showing all courses and distances, and tie-ins to adjacent street intersections.
  - 2) The location, names and widths of streets, the location of property lines and name of owners, the location of water courses, sanitary sewers, storm drains and similar features within four hundred (400) feet of any part of the land to be subdivided.
  - 3) Location of all existing monuments.
  - 4) Location, size and ownership of all underground utilities, and any rights-of-way within the property.
  - 5) Contour lines at a vertical interval of two (2) feet where the existing slope is less than ten percent (10%) and at a vertical interval of five (5) feet where existing slope is ten percent (10%) or steeper.
  - 6) Location of existing buildings, the outline of all wooded areas, marshy areas and areas subject to flooding.
- d. Proposed Layout
- 1) The layout of streets, including names and widths.
  - 2) The layout and approximate dimensions of lots, including the approximate area of each lot in square feet.
  - 3) A reference to any land offered for dedication for parks, schools, widening of streets, or other public uses.
  - 4) The average and minimum lot size.
  - 5) Location and size of storm drains, sanitary sewers, culverts, water courses and all appurtenances thereof, water mains and fire hydrants. All provisions and plans for stormwater shall be in compliance with the Garrett County Stormwater Management Ordinance.
  - 6) Building setback lines.
  - 7) Rights-of-way and/or easements proposed to be created for all drainage purposes and utilities.

- 8) Tentative typical cross-sections and center line profiles for each proposed street shown on the preliminary plat. These plats may be submitted as separate sheets.
- 9) Tentative grading plan and/or plan of the measures to be taken to comply with the Garrett County Soil and Erosion Control Ordinance.
- 10) Where the preliminary plat covers only a part of the owner's entire holding, a sketch plan shall be submitted of the prospective street layout for the remainder.

Section 804 Minor Subdivision Plat

The minor subdivision plat shall show or be accompanied by the following information:

- a. Drafting standards:
  - 1) The plat shall be drawn at a scale of 1" = 50' or 1" = 100'.
  - 2) The plat shall be a clear and legible white paper print.
  - 3) Dimensions shall be in feet and decimal parts thereof, and bearings in degrees, minutes and seconds.
  - 4) The boundary line of the subdivision shall be shown as a solid heavy line.
  - 5) Minor subdivision plats shall be on sheets either 18" x 24" or 36" x 22" and all lettering shall be so drawn as to be legible if the plat should be reduced to half size.
- b. Information to be shown – General
  - 1) Name of the subdivision.
  - 2) Name and address of the owner.
  - 3) Name and address of the engineer or surveyor.
  - 4) Zoning classification and requirements.
  - 5) Date, north point and written scale.



- 6) A location map for the purpose of locating the site at a scale of not less than eight hundred (800) feet to the inch.
  - 7) State Department of Health certification.
- c. Existing features
- 1) The total area of the property, in acres, and the complete boundary description showing all courses and distances, and tie-ins to all adjacent street intersections.
  - 2) The location, names and widths of streets, the location of property lines and names of owners, the location of water courses, sanitary sewers, storm drains, and similar features within four hundred (400) feet of any part of the land to be subdivided.
  - 3) The location of existing buildings, wooded areas and other features.
- d. Proposed layout
- 1) Proposed layout of lots.
  - 2) Lots numbered.
  - 3) Building setback lines.
  - 4) Total area and minimum lot size.
  - 5) All provisions and plans for stormwater shall be in compliance with the Garrett County Stormwater Management Ordinance.
  - 6) The final grading plan and/or grading measures to be taken shall be in compliance with the Garrett County Soil and Erosion Control Ordinance.

Section 905 Final Plat

The final plat shall show or be accompanied by the following information:

- a. Drafting standards
- 1) The plat shall be drawn at a scale of 1" = 50' or 1" = 100'.
  - 2) The plat shall be a clear and legible white paper print.

- 3) Dimensions shall be in feet and decimals to the nearest hundredth of a foot, and the bearings in degrees, minutes and seconds.
  - 4) Each sheet shall be numbered and shall show its relationship to the total number of sheets.
  - 5) The boundary line of the subdivision shall be shown as a solid heavy line.
  - 6) Final plats shall be on sheets either 18" x 24" or 36" x 44" and all lettering shall be so drawn as to be legible if the plat should be reduced to half size.
- b. Information to be shown – General
- 1) Name of the subdivision.
  - 2) Name and address of the owners.
  - 3) Name and address of the engineer or surveyor.
  - 4) Date, north point and written scale.
  - 5) A location map for the purpose of locating the site to be subdivided at a scale of not less than eight hundred (800) feet to the inch showing the relation of the tract to adjoining property and to all streets, roads and municipal boundaries existing within one thousand (1,000) feet of any part of the property proposed to be subdivided.
  - 6) State Department of Health certification.
  - 7) Certification, if applicable, from the County Roads Department and/or the Maryland State Highway Administration, approving all proposed intersections with County or State highways, respectively.
- c. Existing features
- 1) The total area of the property, in acres, and the complete boundary description showing all courses and distances, and tie-ins to all adjacent street intersections.
  - 2) The location, names and widths of streets, the location of property lines and name of owners, the location of water courses, sanitary

sewers, storm drains, and similar features within four hundred (400) feet of any part of the land to be subdivided.

- 3) Location, size and ownership of all underground utilities, and any rights-of-way within the property.
- 4) Location of existing buildings, the outlines of all wooded areas, marshy areas and areas subject to flooding.

d. Proposed layout

- 1) Lot layout, including accurate dimensions and bearings and consecutive numbering of all lots.
- 2) The proposed names, pavement width, and right-of-way width of all proposed streets.
- 3) Sufficient data to determine readily the location, bearing and length of every street, lot and boundary line.
- 4) Building setback line for each street.
- 5) Accurate location of all monuments.
- 6) The location, width and purpose of all easements or rights-of-way and boundaries by bearings and dimensions.
- 7) The average and minimum lot size.
- 8) The location, size and invert elevations of all sanitary sewers, storm sewers, water mains and locations of all manholes, inlets and culverts, and design calculations of same along with the plat and profile of same and any appurtenances.
- 9) The location of all existing and proposed fire hydrants and utilities.
- 10) Final typical cross sections and street profiles for all streets. These drawings may be submitted on separate sheets.
- 11) Final grading plan, and/or plan of the measures to be taken to comply with the Garrett County Soil and Erosion Control Ordinance. Such plan shall include the existing and proposed grades along the proposed street center lines.

The record plat shall be clear and legible blue or black line print on white opaque linen or mylar or other stable, reproducible material and shall be an exact copy of the final approved plat, on a sheet of the size required for a minor subdivision or final plat.

a. Seals

- 1) The impressed seal of the registered engineer or surveyor responsible for the plat.
- 2) The impressed corporate seal, in the applicant is a corporation.
- 3) The impressed seal of a notary public or other qualified officer acknowledging the applicant's statement of intent.

b. Acknowledgements

- 1) A statement to the effect that the applicant is the owner of the subdivision shown on the final plat, or that the application is made with the owner's consent, and that it is desired to record the same.
- 2) Acknowledgement of said statement before an officer authorized to take acknowledgements.

c. The following signatures shall be placed directly on the plat in black India ink:

- 1) The signature of the owner or owners of the land. If the owner of the land is a corporation, the signatures of the president and secretary of the corporation shall appear.
- 2) The signature of the notary public or other qualified officer acknowledging the owner's statement of intent.
- 3) The signature of the registered engineer or surveyor who prepared the plat.
- 4) The signature of the chairman and secretary of the Planning Commission.
- 5) Signature of the Subdivision Administrator.
- 6) The signature of the County Health Officer of Garrett County.

The above requirements for preliminary and final plats and for the supporting data may be modified by the Planning Commission.

In subdivisions requiring no new streets, and in the case of re-subdivision, the requirements for the contours may be waived at the discretion of the Planning Commission.

## ARTICLE X. ADMINISTRATION

### Section 1000 Subdivision Administrator

The provisions of these “Subdivision Regulations” shall be administered by the Subdivision Administrator who shall be appointed by the Mayor and confirmed by the Town Council.

### Section 1001 Hardship

Where the Planning Commission finds that extraordinary hardships may result from strict compliance with these Regulations, it may modify the regulations in individual cases and in writing so that substantial justice may be done and the public interest secured; provided that such modification will not have the effect of nullifying the intent and purpose of these Regulations.

### Section 1002 Conditions

In granting modifications, the Planning Commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so modified.

### Section 1003 Fees

Any required fees to cover the cost of considering, examining and checking the several plats and plans required herein and for recording the final plat shall be collected at the time of filing a preliminary plat. Any additional fees shall be collected in accordance with a fee schedule of charges adopted by resolution of the Town Council.

### Section 1004 Severability

It is hereby declared to be the legislative intent that:

- a. If a court of competent jurisdiction declares any provision of these Regulations to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of these Regulations shall continue to be separately and fully effective.
- b. If a court of competent jurisdiction finds the application of any provision or provisions of these Regulations to any lot, building, or other structure, or tract of land, to be invalid or ineffective, in whole or in part, the effect of such decision shall be limited to the person, property or situation immediately involved in the controversy, and the

application of any such provision to other persons, property or situations shall not be affected.

SPECIFICATIONS AND DESIGN STANDARDS FOR ROADS,  
STREETS, WATER, SEWERAGE AND IMPROVEMENTS



ARTICLE I. STREETS AND ROADS

Section 100 Improvements Required

Where not directly served by an existing street, streets shall be constructed by a subdivider to serve all subdivision lots in accordance with the following specifications and design standards.

Section 101 Right-of-Way Width and Paving Width

The minimum width of the right-of-way and the paving shall not be less than the following:

|                      | Minimum Width (in feet) |               |
|----------------------|-------------------------|---------------|
|                      | <u>Right-of-Way</u>     | <u>Paving</u> |
| Arterial             | 200                     | 48            |
| Major Collector      | 80                      | 44            |
| Minor Collector      | 60                      | 36            |
| Secondary            | 50                      | 30            |
| Cul-de-Sacs (Radius) | 50                      | 38*           |
| Alleys               | 22                      | 20            |

\*A “cul-de-sac” serving five (5) or more lots, according to the subdivision plat, shall be provided with a minimum outer paving radius of forty-eight (48) feet.

Section 102 Street Grading to Full Width

The rights-of-way shall be graded to their full width to provide suitable finished grades to the tolerances herein specified. This requirement may be modified if the application of this standard would result in undue destruction of trees.

Section 103 Minimum Street Grade

A minimum street grade of one percent (1%) shall be established on all “Collector” and “Secondary” streets.

Section 104 Maximum Street Grade

Maximum grades shall not exceed ten percent (10%).

Section 105 Street Crown Requirements

A normal crown shall be provided on all streets, not superelevated, of 5/16 inch per foot straight slope extending in cross section from edge of pavement to centerline, symmetrical to the centerline.

Section 106 Drainage

All roadways are to have side ditches of adequate size to insure proper drainage. Concrete flumes shall be installed on any grades that show erosion. At any point where concrete flumes are installed, the shoulders shall be surface treated to connect roadway surface to flumes.

Section 107 Cut and Fill

All cuts and fills shall be at a slope of not less than 2 to 1.

Section 108 Construction Specifications

Roadways and shoulders shall have a sub-base with an approved type bank run gravel of not less than six (6) inches compacted depth. Gravel shall be applied in a minimum of two courses.

The surface of all roadways shall be 3 inches of bituminous concrete and tack coat over the 6-inch base or 2 inches of cold mix and tack coat over the 6-inch base per State Highway Administration specifications.

Section 109 Sidewalks

The minimum width of sidewalks shall be four (4) feet along all streets. The prepared subgrade shall consist of a four (4) inch insulation course of stone or gravel. This material shall be compacted thoroughly.

The thickness of the concrete placed over the prepared subgrade shall be at least four (4) inches for standard sidewalks and six (6) inches for all sidewalks which cross private driveways.

ARTICLE II. STREET SIGNS

Section 200 Improvements Required

The subdivider shall erect at every intersection a street sign or street signs having thereon the names of the intersecting streets. At intersections where streets cross, there shall be at least two (2) such street signs and at the intersections where one (1) street ends or joins with another street, there shall be at least one (1) such street sign. The subdivider's plans for street sign construction and specifications will first be reviewed by the Planning Commission for consistency with existing town street signage.

Section 201 Construction Standards

- a. Street name plates shall be of metal construction; all corners shall be rounded; the lettering shall be of standard proportions and spacing in accordance with one of the alphabets used by the U.S. Bureau of Public Roads. The plates shall be horizontal. The lower edge of the name plate shall be seven (7) feet above the ground level or curb. The name plate shall be attached to the standard by rust-proof metal fasteners.
- b. The standard shall be rust-proof metal and shall be of sufficient length to permit the same to be embedded in the ground a distance of not less than three (3) feet. The standard shall be embedded in a concrete base not less than twelve (12) inches in diameter for a depth of not less than three (3) feet below the surface of the ground.

The ground shall be heavy wall galvanized pipe not less than 2 ½ inches in diameter. The pipe shall be capped.

### ARTICLE III. SANITARY SEWERAGE SYSTEM

#### SEWER ORDINANCE

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE WASTEWATER DISPOSAL; THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM: AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF SITUATED IN THE TOWN OF ACCIDENT, MARYLAND.

Being it ordained and enacted by the Mayor and Town Council of Accident, Maryland, that:

#### ARTICLE 1:

##### Definitions

Unless the context specifically indicates otherwise, the meaning of terms used in this Ordinance shall be as follows:

Section 1. “BOD” (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees C, expressed in milligrams per liter.

Section 2. “Building Drain” shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, the building drain terminating five (5) feet outside the inner face of the building wall.

Section 3. “Building Sewer” shall mean the extension from the building drain to the public sewer or other place of disposal.

Section 4. “Combined Sewer” shall mean a sewer intended to receive both surface runoff and sewage.

Section 5. “Easement” or “Right of Way” shall mean an acquired legal right for the specific use of land owned by others.

Section 6. “Floatable oil” is oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

Section 7. “Garbage” shall mean the animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods.

Section 8. “Industrial Wastes” shall mean the wastewater from industrial manufacturing processes, trade or business as distinct from domestic or sanitary wastes.

Section 9. “Natural Outlet” shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

Section 10. “Person” shall mean any individual, firm, company, association, partnership, society, corporation, church, school or group.

Section 11. “pH” shall mean the logarithm of the reciprocal of the hydrogen ion concentration. The concentration is the weight of hydrogen ions in grams per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen ion concentration of  $10^{-7}$ .

Section 12. “Properly Shredded Garbage” shall mean the wastes from the preparation, cooking and dispensing of foods that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch in any dimension.

Section 13. “Public Sewer” shall mean a sewer which is controlled by public authority.

Section 14. “Sanitary Sewer” shall mean a sewer which carries sewage and to which storm, surface and groundwaters are not intentionally admitted.

Section 15. “Sewage” or “Wastewater” shall mean a combination of the water-carried wastes from residences, business buildings, institutions and industrial

establishments, together with such ground, surface and stormwaters as may be unintentionally admitted.

Section 16. “Sewage Treatment Plant” or “Wastewater Treatment Plant” shall mean an arrangement of devices and structures used for treating sewage.

Section 17. “Sewage Works” or “Wastewater Facilities” shall mean all facilities for collecting, pumping, treating and disposing of sewage.

Section 18. “Sewer” shall mean a pipe or conduit for carrying sewage or drainage water.

Section 19. “Shall” is mandatory and “May” is permissive.

Section 20. “Slug” shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during the normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment facilities.

Section 21. “Storm Drain” sometimes “Storm Sewer” shall mean a sewer which carries surface water, groundwater, subsurface water, or unpolluted water away from any source.

Section 22. “Superintendent” shall mean the Superintendent of Sewage Works or Wastewater Facilities of the Town of Accident, or his authorized deputy, agent or representative.

Section 23. “Suspended Solids” shall mean total suspended matter that either floats on the surface of, or is in suspension in water, sewerage, or other liquids, and that is removable by laboratory filtering as prescribed in Standard Methods for the Examination of Water and Wastewater and referred to as nonfilterable residue.

Section 24. “Unpolluted Water” is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

Section 25. “Watercourse” shall mean a natural or artificial channel in which a flow of water occurs, either continuously or intermittently.

Section 26. “Town” shall mean the Mayor and Town Council of Accident or Town of Accident, a municipal corporation of the State of Maryland and/or its duly authorized officers or agents.

## ARTICLE 2:

### Use of Public Sewers Required

Section 1. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Town of Accident, or in any area under the jurisdiction of said Town, any human or animal excrement, garbage, or other objectionable waste.

Section 2. It shall be unlawful to discharge to any natural outlet within the Town of Accident, or in any area under the jurisdiction of said Town any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provision of this Ordinance or any amendments thereto.

Section 3. Except as hereinafter provided, it shall be unlawful to construct, keep or maintain and privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.

Section 4. The owner of all houses, building, or properties used for human occupancy, employment, recreation, or other purposes, situated within the Town of Accident and abutting on any street, alley, or right of way in which there is now located or may in the future be located a public sanitary or combined sewer of the Town of Accident, is hereby required, at his expense, to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within one hundred and twenty (120) days after date of official notice to do so, provided that said public sewer is within one hundred (100) feet of the property line.

## ARTICLE 3:

### Building Sewers and Connection

Section 1. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenances thereof without first obtaining a written permit from the Mayor and Town Council and/or the Superintendent.

Section 2. There shall be two (2) classes of building sewer permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner or his agents shall make application on a special forma furnished by the Town. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Town.

Section 3. All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Town

from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Section 4. A separate and independent building sewer shall be provided for every building, except as hereinafter provided in Article 3, Section 5 or except where one building stands at the rear of another or an interior lot, and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer, and provided that this shall only apply when both buildings have the same ownership.

Section 5. The owner of a property housing mobile homes, trailer units, and/or multi-family dwellings used for commercial or residential purposes and having domestic water and/or sanitary facilities therein shall have the options of (a) connecting all units or dwelling units to the public sewer via a single building sewer, (b) connecting all units or dwelling units to the public sewer via two or more building sewers, or (c) considering each unit or dwelling unit as a separate entity and connecting each unit or dwelling unit to the public sewer via a separate and independent building drain and building sewer. The sewer rate structure established for use of the Town's public sewers will be such that revenue required from a property owner choosing either option (a) or (b) above will be equal to that revenue secured had each unit or dwelling unit been required to have its own separate and independent building drain and building sewer.

Section 6. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Town, to meet all requirements of this Ordinance.

Section 7. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and back-filling the trench, shall all conform to the requirements or other applicable rules and regulations of the Town. In the absence of code provisions, rules or regulations thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9, shall apply.

Section 8. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by approved means and discharged to the building sewer.

Section 9. No person shall make connection of roof downspouts, exterior foundation drains, area-way drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

Section 10. The connection of the building sewer into the public sewer shall conform to the requirements or other applicable rules and regulations of the Town of

Accident, or the procedures set forth in appropriate specifications of the A.S.T.M., and the W.P.C.F. as set forth in Manual of Practice No. 9. All such connections shall be made gastight and watertight, utilizing extra strength clay pipe, Wye saddles and/or Saddle Hub Trees, or as directed by the Town. All connections of building sewers into the public sewer shall be performed by a Registered Master Plumber, licensed by the Maryland State Board of Commissioners of Practical Plumbing, and in accordance with the Plumbing Code as adopted by the County Commissioners of Garrett County. Any deviation from the prescribed procedures and materials must be approved by the Town before installation.

Section 11. The applicant for the building sewer permit shall notify the Town when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Town or its representative.

Section 12. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard or injury. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town.

#### ARTICLE 4:

##### Use of the Public Sewers

Section 1. No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

Section 2. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Town. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Town, to a storm sewer, or natural outlet.

Section 3. No persons shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

- (a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
- (b) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including, but not limited to cyanide in excess of two (2) mg/l as CN in the wastes as discharged to the public sewer.



- (c) Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- (d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, bones, lint, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, seafood waste, entrails, and paper dishes, cups, milk containers, either whole or ground by garbage grinders.

Section 4. No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Town that such wastes can harm either the sewers, sewage treatment plant or process, or equipment, have an adverse effect on the property, or constitute a nuisance. In forming its opinion as to the acceptability of these wastes, the Town will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, and other pertinent factors. The substances prohibited are:

- (a) Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees F. (65 degrees C.).
- (b) Any water or waste containing fats, wax, grease, or oils whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) degrees F. (0 and 65 degrees C.).
- (c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 metric) or greater shall be subject to the review and approval of the Town.
- (d) Any waters or wastes containing strong acid from pickling wastes, or concentrated plating solutions whether neutralized or not.
- (e) Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Town for such materials.
- (f) Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Town as necessary, after treatment of the composite sewage, to meet the requirements of the

State, Federal or other public agencies of jurisdiction for such discharge to the receiving waters.

- (g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Town in compliance with applicable State or Federal regulations.
- (h) Any water or wastes having a pH in excess of 9.5.
- (i) Materials which exert or cause:
  - (1) Unusual concentration of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
  - (2) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
  - (3) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
  - (4) Unusual volume of flow or concentration of wastes constituting “slugs” as defined herein.
- (j) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- (k) Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, from suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.

Section 5. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 4 of this Article, and which in the judgment of the Town, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Town may:

- (a) Reject the wastes.
- (b) Require pretreatment to an acceptable condition for discharge to the public sewers.

- (c) Require control over the quantities and rates of discharge, and/or
- (d) Require payment to cover added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provision of Section 10 of this Article.

If the Town permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Town.

Section 6. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Town they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Town, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors the owner shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal which are subject to review by the Town. Any removal and hauling of the collected materials not performed by owner's personnel must be performed by currently licensed waste disposal firms.

Section 7. Where pretreatment of flow-equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

Section 8. When required by the Town, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such structure, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the Town. The structure shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

Section 9. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this Ordinance shall be determined in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater published by the American Public Health Association, and shall be determined at the control structure provided, or upon suitable samples taken at said control structure. In the event that no special structure has been required, the control structure shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken.

Normally, but not always, BOD and suspended solids analyses are obtained from 24 hour composites of all outfalls whereas pH's are determined from periodic grab samples.)

Section 10. No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the Town and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Town for treatment, subject to payment thereto, by the industrial concern.

#### ARTICLE 5:

##### Protection from Damage

Section 1. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenances or equipment which is part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct, or for violations of any laws of the State of Maryland.

#### ARTICLE 6:

##### Powers and Authority of Inspectors

Section 1. The Town and other duly authorized employees, or representatives of the Town bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observations, measurement, sampling and testing in accordance with the provisions of this Ordinance.

Section 2. The Town or other duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The industry may withhold information considered confidential. The industry must establish that the revelation to the public of the information in question might result in an advantage to competitors.

Section 3. While performing the necessary work on private properties referred to in Article 6, Section 1, above, the Town or its employees or representatives of the Town shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the Town employees or representatives and the Town shall indemnify the company against loss or damage to its property by Town employees or representatives and against liability claims and demands for personal injury or property damage asserted against the company and growing out of its gauging and sampling operation, except as may be caused by negligence or failure of the company to maintain safe conditions as required by Article 4, Section 8.

Section 4. The Town and other duly authorized employees or representatives of the Town bearing proper credentials and identification shall be permitted to enter all private properties through which the Town holds a duly negotiated easement for the

purpose of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

#### ARTICLE 7:

##### Charges for Wastewater Service

Section 1. The Town is authorized to require a deposit of up to fifty (50) percent of the estimated cost of the connecting to the Town sewer mains as set forth in Article 3, Section 3.

Section 2. Notwithstanding other provisions in this Ordinance to the contrary, all connection charges or fees shall be waived as to all persons who connect to the sewer mains within one hundred and twenty (120) days from notification by the Town that the mains are ready for operation. Subsequent to the termination of the one hundred and twenty (120) days waiver period all persons who connect to the sewer mains shall pay, in addition to all other charges stated in this Ordinance, a connection charge of Two Hundred Dollars (\$200) or the actual cost incurred by the Town of providing public sewer to the point of connection of the building sewer, whichever is greater.

Section 3. An annual sewer service charge as set by the Mayor and Town Council of Accident shall be charged to each building sewer, said charge to be due and payable July 1<sup>st</sup>, of each year and overdue as of October 1<sup>st</sup>, of each year, said charges to be prorated the first year from the date of connection. The Town may bill the property owners on a monthly, quarterly or any other basis as they may deem fitting and proper.

Section 4. The Town reserves the right to increase or decrease the rates and charges herein set forth by further Ordinance and to establish different classifications as to rates for residential, commercial or industrial use, and for special use where multiple units or dwelling units are served by a single building sewer or by two or more building sewers in accordance with Article 3, Section 5.

Section 5. All rates and/or charges referred to in this Ordinance shall constitute a lien on the real estate served and shall be collectible in the same manner as Town taxes or by suit of law.

#### ARTICLE 8:

##### Penalties

Section 1. Any person found to be violating any provision of this Ordinance, except Article 6, shall be served by the Town with a written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof.

The offender shall, within the period of time stated in such notice permanently cease all violations.

Section 2. Any person who shall continue any violation beyond the time limit provided for in Article 8, Section 1, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding \$500.00 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

#### ARTICLE 9:

##### Validity

Section 1. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 2. The invalidity of any section, clause, sentence or provision of this Ordinance shall not affect the validity of any part of this Ordinance which can be given effect without such invalid part or parts.

Section 3. Whenever the public necessity, convenience, general welfare of the Town and its citizens require, the Town may amend or repeal any provision herein upon motion duly made and carried by a majority of the Town Council.

#### ARTICLE 10:

##### Ordinance in Force

Section 1. This Ordinance shall be in full force and effect as of the 1<sup>st</sup> day of January, 1974.

Section 2. Passed and adopted by the Mayor and Town Council of Accident, Maryland on the 10<sup>th</sup> day of December, 1973.

#### ARTICLE IV. WATER SUPPLY SYSTEM

##### WATER ORDINANCE

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE WATER MAINS AND WATER SERVICES, THE USE OF WATER FROM PUBLIC AND PRIVATE WATER SUPPLIES, THE INSTALLATION OF BUILDING WATER SERVICES AND APPURTENANCES: PROVIDING PENALTIES FOR VIOLATIONS THEREOF SITUATED IN THE TOWN OF ACCIDENT, MARYLAND.

Being it ordained and enacted by the Mayor and Town Council of Accident, Maryland, that:

## ARTICLE 1:

Unless the context specifically indicates otherwise, the meaning of terms used in this Ordinance shall be as follows:

Section 1. “Approved” shall mean accepted or acceptable under an applicable requirement stated or cited in this Ordinance, or accepted as suitable for the proposed use under procedures and powers of the Town.

Section 2. “Backflow” shall mean the flow of water or other liquids, mixtures, or substances into the distributing pipes of a potable supply of water from any source or sources other than its intended source.

Section 3. “Back-siphonage” shall mean the flowing back of used, contaminated, or polluted water from a plumbing fixture or vessel into a water-supply pipe due to negative pressure in such pipe.

Section 4. “Building” shall mean a structure built, erected, and framed of component structural parts designed for the housing, shelter, enclosure, or support of person, animals, or property of any kind.

Section 5. “Building Water Service Pipe” or “Building Water Service” shall mean that pipe which extends from the termination of the building service pipe to the water distributing system of the building served.

Section 6. “Cross-connection” shall mean any connection or arrangement between two otherwise separate piping systems, one of which contains potable water and the other either water of unknown or questionable safety or steam, gas, or chemical whereby there may be a flow from one system to the other, the direction of the flow depending of the pressure differential between the two systems.

Section 7. “Dwelling Unit” or “Family Unit” shall mean building or part thereof arranged or designed to provide living and sanitary facilities for only one family.

Section 8. “Easement” or “Right of Way” shall mean an acquired legal right for the specific use of land owned by others.

Section 9. “Inside” shall mean lying within a building.

Section 10. “May” is a permissive term.

Section 11. “Multiple Dwelling” or “Multi-Family Residence” shall mean a building containing two or more dwelling or family units.

Section 12. “Outside” shall mean lying exterior to the confines of a building.

Section 13. “Owner” shall mean a proprietor – one who own or has exclusive right of possession.

Section 14. “Person” shall mean any individual, his or her heirs, executors, administrators or assigns; and includes a firm, partnership, corporation, company, association, society, church, school or group, its or their successors or assigns.

Section 15. “Plumbing Fixtures” shall mean the installed receptacles, devices or appliances which are supplied with water or which receive or discharge liquids or liquid-borne wastes, with or without discharge into the drainage system with which they may be directly or indirectly connected.

Section 16. “Polluted Water” shall mean water in which there are microorganisms, chemicals or waste materials in a concentration which renders the water harmful or objectionable.

Section 17. “Potable Water” shall mean water which is satisfactory for drinking, culinary, and domestic purposes, and meets the requirements of the health authority having jurisdiction.

Section 18. “Private” shall mean of, belonging to, or concerning a particular person and not open to or intended for the public.

Section 19. “Public Water Main” shall mean water supply pipe for public use controlled by the Town.

Section 20. “Public Water Service Pipe” or “Public Water Service” shall mean that part of the water service pipe to the building which is constructed by the Town from the public water main in the public way to the property line.

Section 21. “Public Water Supply System” or “Waterworks” shall mean the works, structures, equipment and processes required to supply, treat and distribute water to the people at large or to any considerable number of members of the public indiscriminately for domestic, commercial, industrial and fire uses.

Section 22. “Sewage or Wastes” shall mean a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments.

Section 23. “Shall” is a mandatory term.

Section 24. “Single-Family Dwelling” or “Single-Family Residence” shall mean a building arranged or designed to provide living and sanitary facilities for only one family.



Section 25. “Superintendent” shall mean the Superintendent of Waterworks, Water Supply Facilities, Sewage Works or Wastewater Facilities of the Town of Accident, or his authorized deputy, agent or representative.

Section 26. “Swimming Pool” shall mean any structure, basin, chamber or tank containing an artificial body of water for swimming, diving, or recreational bathing and having a depth of two feet or more at any point.

Section 27. “Town” shall mean the Mayor and Town Council of Accident or Town of Accident, a municipal corporation of the State of Maryland and/or its duly authorized officers or agents.

Section 28. “Water Main” or “Main” shall mean the principal pipes of a water supply system to which water services may be connected.

Section 29. “Water Plumbing System” shall mean the water-supply and distribution pipes; plumbing fixtures and traps; and water-treating or water-using equipment including their respective connections, devices and appurtenances within the property lines of the premises.

Section 30. “Water Service Pipe” or “Water Service” shall mean the pipe from the water main to the building served.

Section 31. “Water Supply Piping” shall mean the water-distributing pipes, and necessary connecting pipes, fittings, control valves, and all appurtenances in a building which conveys water from the water-service pipe to plumbing fixtures and other water outlets.

## ARTICLE 2:

### General Regulations

Any items pertaining to water plumbing systems installed within the Town which are not specifically covered under this Water Ordinance shall meet or exceed the minimum provisions of the Plumbing Regulations of the State of Maryland. In case of conflict between this Ordinance and the Plumbing Regulations of the State of Maryland, the provisions of this Water Ordinance shall govern.

## ARTICLE 3:

### Use of Public Water Supply Required

Section 1. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the Town of Accident and abutting on any street, alley, or right of way in which there is now located or may in the future be located a public water main of the Town of Accident is hereby

required, at his expense, to connect all inside water plumbing systems with the proper public water main in accordance with the provisions of this Ordinance within one hundred and twenty (120) days after date of official notice to do so provided that said public water main is within one hundred (100) feet of the property line.

Section 2. Except as hereinbefore provided, no well or spring for inside potable water use shall be constructed or maintained on a property accessible to a public water main.

Section 3. Except as hereinafter provided, immediately subsequent to the commencement of public water supply service to a property previously served by a well, the well shall be abandoned and capped or closed in a manner satisfactorily to the Town.

Section 4. Whenever a water service is provided for a property previously served by a well and the property owner desires to continue use of the well for outside water supply purposes, the well shall be examined and the well water tested by the Garrett County Department of Health to determine whether the well is polluted or will be a menace to health. If the well is found to be a safe, potable supply, the Town will consider allowing the well to remain in use for outside water supply piping or water plumbing system. Should such well be found to be polluted or a menace to health, it shall be abandoned and closed in a manner satisfactory to the Town.

#### ARTICLE 4:

##### Standards for Subdivisions

Section 1. Improvements Required When water service from the Town is available at the site of the proposed subdivision, the subdivider shall provide water mains including water services within public rights-of-way and appropriately spaced fire hydrants to serve all subdivision lots in accordance with the following design standards and specifications. The Town reserves the right to require that such water mains and appurtenances be installed by a utility contractor under a public works contract awarded and administered by the Town of Accident.

Section 2. Ownership and Maintenance Responsibilities Subsequent to acceptance by the Town, the parts of the water supply system which are considered as the property and responsibility of the Town are the water mains, appurtenances and that portion of the water service which lie in public rights-of-way. The parts of the water services which lie within private property are the responsibility of the owner and are constructed and maintained by him.

Section 3. Right-of-Way and Construction Easements Widths Where water mains cannot be placed within a public street right-of-way, the width of the required utility right-of-way will not be less than ten (10) feet. Temporary easements required during the actual construction of the utility shall not be less than forty (40) feet wide.

## Section 4. Design

### 4a. Water Mains

4b. Location – Water mains shall be laid generally on the side of the street toward high ground on opposite side of street from the sanitary sewer. Mains shall be located no less than 5 feet from curb to proposed curb. The location of other existing and proposed utilities shall be fully considered.

Along curves, the water main may be deflected at each joint within the limits set forth in the Standard Details.

4c. Size – Water mains shall generally be no smaller than 6” except in cul-de-sacs where 4” mains will be permitted, provided no fire hydrants are proposed. For demands greater than 8” normally required in a subdivision, the engineer shall consult with the Town regarding sizing of the main.

4d. Cover Over Pipe – Normal cover over water mains shall be 4’-0”, except at crossings over other utilities where a minimum cover of 3’-0”, or a maximum of 9’-0”, may be allowed.

In new subdivisions, cover shall be measured from established grade of street. Streets shall be graded to subgrade before water mains are laid.

In existing roads or ungraded streets, established grades of streets shall be obtained from Town. If such grades are not available, subdivider shall submit proposed grades for approval by Town. If established grade is at or below existing surface, cover shall be measured from established grade; if established grade is above existing surface, cover shall be measured from existing surface.

4e. Clearances – Clearances shall be measured between outside pipes.

Water main crossing sewer shall have a minimum clearance of 1’-0” above sewer. Where a water main parallels a sanitary sewer and is less than 10’ from sewer, water mains shall be 6’ clear above sewer. Where more than 10’ apart, water main shall be above sewer.

Water mains shall have minimum clearance of 6” where crossing utilities other than sewers.

When specified clearance is not practicable between sewer and water in a new subdivision or in locations where sewer is built along streets having existing water mains, the sewers shall be designed according to Article III.

If sewer already exist in a street and water main cannot be built to specified clearances, mechanical joints or other approved safety joints shall be used for water mains.

### 4f. Water Main Appurtenances

4g. Valves – Water mains shall have valves of same size as the main.

Valves shall be installed on the loop or network at such places as to isolate the branch sections as may be necessary with a maximum spacing of 2,000’.

Valves shall be installed on all fire hydrant leads as close to the water main as is feasible.

Valves at intersections shall be placed on projection at street right-of-way lines.

Standard adjustable valve boxes shall be installed on valves.

4h. Fire Hydrants – Hydrants shall be a minimum of 6” unless otherwise directed.

Connection from main to hydrant shall be the same diameter as the nominal inside diameter of the hydrant.

Spacing of hydrants shall be as follows:

Areas zoned as SR, TR, TC, or EC, a maximum of 750 feet apart as measured along an improved road, and a hydrant shall be within 500 feet from the center of any improved or recorded lot.

Hydrants shall be so located in a pattern approved by the Town fire chief or a duly authorized representative of the Town.

Hydrants shall be located at street intersections whenever possible.

Hydrants not at intersections shall be located in relation to property lines in order to avoid interference with future driveways. Hydrants shall be located to provide vehicular clearance from the street. See Standard Details.

4i. Blow-offs – A blow-off (See Standard Details) shall be installed at the end of each dead end main unless it is more economical to install a hydrant at this location.

4j. Air Release Valves – Air release valves shall be installed at prominent peaks on long supply mains. Air valves will generally not be required in a grid distribution system since air will normally be released through service lines.

4k. Valve Vaults – For valves on mains 12” and smaller and for tapping sleeves and valves on mains 12” and smaller, use pre-cast concrete vaults as shown in Standard Details.

#### 4l. Water House Service Connections and Appurtenances

4m. Service Connections – Water house connections shall be built to the meter boxes near the property line for all lots within a proposed development. All adjacent improved lots which are not a part of the proposed development but may be served by the water line shall be shown on the Contract Drawings and service connections shall be shown for these lots.

Service connections shall be indicated schematically on the high end of the lot on the plans but exact location will be fixed in the field after conference with the property owners.

Service connections shall be no smaller than ¾”, which is the normal size for a house. For service size see the table shown under meter sizing in the appurtenances section and Standard Details.

Cover over service lines shall be as indicated in the Standard Details measured from established grade.

Water house services shall ordinarily be placed at least 7' horizontally from sewer house connections and minimum of 1'-0" clear above the sewer house connection. If extra heavy cast iron soil pipe with lead joints is used for the sewer connections, the water connections may be placed not less than 1'-6" clear horizontally and 1'-0" clear above sewer services.

4n. Meters, Meter Valves and Valves – Meters shall be located 3' from the property line in the public right-of-way.

The following table is a general guide for sizing service meters:

| Meter Size | Maximum Flow – GPM |
|------------|--------------------|
| 5/8"       | 20                 |
| 3/4"       | 34                 |
| 1"         | 53                 |
| 1-1/2"     | 100                |
| 2"         | 160                |

See Standard Details for details for meter connections.

A valve or corporation cock shall be installed on the water main side of each meter installation as indicated in the Standard Details.

Vaults for valve installations shall be as indicated in Standard Details except minimum depth to yoke shall be 2'-0" in lieu of 1'-6" shown.

4o. Structural Considerations – Bends, tees and dead ends shall be anchored or buttressed, as shown in Standard Details.

Water pipe under State Roads shall be installed in a tunneled or jacked sleeve as required by the State Highway Administration.

Special structures, such as pumping stations, and storage tanks shall be subject to special consideration and shall be incorporated in the design according to instructions of the Town.

Section 5. Materials and Construction Materials and construction methods employed in the installation of water mains, water house services and appurtenances shall be in strict accordance with both Section III – Part A, Water Mains of the Contract Specifications for Proposed Water and Wastewater Facilities, Project No. ARC-WPC-MD-243 dated January 1973, revised June 1, 1973 and addended June 23, 1973, July 6, 1973, and July 11, 1973 and with Standard Specifications for Utilities, Associated Structures and Site Improvements dated December 1968 and addended July 1, 1973, all as prepared by Rummel, Klepper and Kahl for the Town. References made herein to Standard Details and to Standard Specifications refer specifically to the last mentioned document.

ARTICLE 5:

## Building Water Services and Connections

Section 1. No unauthorized person shall uncover, make any connection with, use, alter, or disturb any public water main, water service or appurtenances thereof without first obtaining a written permit from the Mayor and Town Council and/or the Superintendent.

Section 2. There shall be two (2) classes of building water service permits: (a) for residential and commercial services, and (b) for service to establishments requiring industrial water. In either case, the owner or his agents shall make application on a special form furnished by the Town. When requested, the permit application shall be supplemented by any plans, specifications, or other information considered pertinent on the judgment of the Town.

Section 3. All costs and expenses incident to the installation and connection of the building water service shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building water service.

Section 4. A separate and independent building water service shall be provided for every building, except as hereinafter provided in Article 4, Section 5 or except where one building stands at the rear of another on an interior lot, and no private water service is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway. In the latter case the building service from the front building may be extended to the rear building and the whole considered as one building service and provided that this shall only apply when both buildings have the same ownership.

Section 5. The owner of a property housing mobile homes, trailer units, and/or multi-family dwellings used for commercial or residential purposes and having domestic water and/or sanitary facilities therein shall have the options of (a) connecting all units or dwelling units to the public water main via a single building water service, (b) connecting all units or dwelling units to the public water main via two or more building water services, or (c) considering each unit or dwelling unit as a separate entity and connecting each unit or dwelling unit to the public water main via a separate and independent building water service. The water rate structure established for use of the Town's public water mains will be such that revenue required from a property owner choosing either option (a) or (b) above will be equal to that revenue secured had each unit or dwelling unit been required to have its own separate and independent building water service.

Section 6. All connections of building water services into the public water mains or public water services shall be performed by a Registered Master Plumber, licensed by the Maryland State Board of Commissioners of Practical Plumbing.

Section 7. Old building water services may be used in connection with new building water services only when they are found, on examination and test by the Town, to meet all requirements of this Ordinance.

Section 8. The size, depth, alignment, materials of construction of a building water service, and the methods to be used in excavating, placing of the pipe, jointing, testing, and back-filling the trench, shall all conform to the requirements or other applicable rules, regulations, and codes of the Town and the Plumbing Regulations of the State of Maryland. Any deviation from the prescribed procedures and materials must be approved by the Town before installation. Specific provisions of this Ordinance pertaining to the construction of building water services are indicated herein below.

(a) The building water service should be at least as large as the public water service and larger if required by the water demand, length of service pipe, and pressure available. It shall, in no case, be less than ¾” diameter.

(b) Acceptable water service installations are specified as follows:

| Pipe Installation Type | Pipe Material  | Pipe Wall Thickness Type, Schedule or Class | Pipe Joint | Pipe Bedding       |
|------------------------|--|---|------------|--------------------|
| A<br>(Recommended)     | ASTM B-88<br>Seamless<br>Copper<br>Tubing                    | Type K                                      | Flared     | Compacted<br>Earth |
| B                      | ASTM D-2737,<br>160 psi<br>Polyethylene<br>Plastic<br>Tubing | Type/Grade<br>PE2305                        | Flared     | Compacted<br>Earth |

(c) The building water service shall be laid throughout to as straight an alignment as practicable and shall have a minimum pipe cover of 3.5 feet and a maximum pipe cover of 6 feet.

(d) Except as permitted below, the underground water service pipe and the building drain or building sewer shall be not less than 10 feet apart horizontally and shall be separated by undisturbed or compacted earth.

The water service pipe may be placed in the same trench or less than 10 feet horizontally with the building drain and building sewer provided the following conditions are met:

- (1) The bottom of the service pipe at all points shall be at least 12 inches above the top of the sewer line at the sewer’s highest point.
- (2) The water service pipe shall be placed at not less than 18 inches horizontally from the sewer on a solid shelf excavated at one side of the common trench.
- (3) The number of joints in the water service pipe shall be minimized.

(e) Special care shall be taken to insure that the pipes are well bedded on a solid foundation and any defect due to settlement shall be corrected at the owner's expense. Special precautions shall be exercised to prevent any pipe from resting on rock.

Proper and suitable tools and appliances for the laying of pipe and fittings shall be used. Great care shall be taken to prevent the pipe from being damaged. Pipe damage in any way shall be repaired to the satisfaction of the Superintendent.

All pipe fittings shall be thoroughly cleaned before they are laid and shall be kept clean until the work is completed. At the close of work each day the end of the pipe line shall be tightly closed so that no dirt or other substance shall enter the line.

(f) Clearance shall be provided around a water service pipe passing through walls to protect it against chemical action from direct contact with concrete, distortion or rupture of water service pipe from shearing action due to settlement, distortion or rupture of the water service pipe caused by expansion or contraction.

Clearance shall be not less than one-half (1/2) inch between the outside of the pipe and the wall. Sleeves may be used to provide the wall opening. The space between the pipe and wall structure shall be carefully packed or caulked with lead or with waterproof and vermin and rodent resistant material.

(g) Each building water service shall be provided with a gate valve with bleed or a stop-and-waste valve located inside the building near the point where the water service enters.

Section 9. All excavations for building water service installation shall be adequately guarded with barricades and lights so as to protect the public from hazard or injury. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored on a manner satisfactory to the Town.

Section 10. The applicant for the building water service permit shall notify the Town when the building water service is ready for inspection and connection to the public water service and before the water service installation is backfilled or covered. The connection shall be made under the supervision of the Superintendent or other authorized Town representative. The applicant shall obtain the Superintendent's approval before backfilling or covering the water service pipe.

Section 11.

(a) The Town will furnish and install a meter for each water service. The water meter will remain under the ownership of, and will be maintained by the Town.

(b) The Town shall determine the size and type of any water meter, and the type and location of the setting.

(c) The meter housing or meter vault will be installed so that the top is on the ground surface of the permanent grade.

(d) It shall be unlawful for any person, not specifically authorized by the Town, to interfere with, remove, replace or tamper with a meter or a meter seal.

(e) No connection shall be made to any water service pipe between the water main and the meter, except such by-pass as the Town may install. If such unlawful connection is found, the water house connection will be cut off at the main until such unlawful



connection is discontinued and abandoned. Any expense to which the Town shall be subjected, due to the above work, shall be paid for before service is restored.

Section 12.

- (a) The Town will maintain all water services from the street main to the property line.
- (b) All pipes and appurtenances on private property shall be maintained by, and at the expense of, the property owner. The Town, where it shall deem such action necessary, may do maintenance or repair work on private property in which case, the cost, including overhead expense, shall be paid by the property owner. Likewise, the cost of any work outside of the property line made necessary by the neglect or through the action of a property owner or tenant, shall be charged to the property owner.
- © In the event of a complaint regarding a leak on a water service, the Town will determine if the leak is in the public way, in which case the leak will then be repaired. If it is found that the leak is not the Town's responsibility, the owner will be so notified and it shall be his responsibility to have the leak repaired at once by a master plumber at the owner's expense. If the property owner fails to make such repairs within 15 days after notification by the Town, the Town, in order to conserve water, shall make such repairs as are necessary and shall bill the owner for the costs of such work.

ARTICLE 6:

Use and Protection of Public Water Supply

Section 1. Water from the Town's system may be used for residential, business, industrial, and public purposes. The Town reserves the right to impose at any time such restrictions on the use of water as in its judgment may appear necessary.

Section 2.

- (a) No person, other than an authorized employee of the Town or a member of a fire department acting under orders of his proper superior in the performance of his duties, may operate a public fire hydrant unless in possession of a permit from the Town to do so.
- (b) Public or private fire hydrants may not be used for flushing or for any other purpose except by special written permission of the Town, for the time and at the location specified. If such permission is granted, the water used shall be charged for at the prevailing water rates.

Section 3.

(a) All buildings which are served with public water from the Town's system shall have approved water supply and plumbing fixtures and piping; where the same do not exist, or are not of proper character, in the judgment of the Town, or are in a state of disrepair, they shall be provided, altered or repaired, as the case may be, in such manner as shall be required and within the time named, by notice served by the Town upon the property

owner or occupant. No such building shall be hereafter erected in a locations accessible to a public water main or sewer without being provided with adequate water supply and plumbing arrangements as required in this Ordinance.

(b) The Town may at any time inspect existing plumbing systems and require such modifications as in its judgment may be necessary to put said plumbing in an approved, sanitary condition.

#### Section 4.

(a) Potable water supply systems shall be designed, installed and maintained in such manner as to prevent non-potable liquids, solids or gases from being introduced into the potable water supply through cross-connections or any other piping connections to the system.

(b) Piping conveying potable water shall be constructed of non-toxic material.

No chemicals or other substances that could produce either toxic conditions, taste, odor, or discoloration in a potable water system shall be introduced into or used in such systems.

The interior surface of a potable water tank shall not be lined, painted or repaired with any material which will effect either the taste, odor, color or potability of the water supply when the tank is placed in or returned to service.

© No physical connection or cross-connection shall be permitted between the public water supply and an industrial, fire or other auxiliary or emergency water supply source. This prohibition applies to all piping systems whether inside or outside of any building or buildings.

(d) No plumbing fixture or device shall be installed which will provide a cross-connection between the Town's water supply and a drainage or sewerage system so as to permit or make possible the back-flow of sewage or waste into the Town's water supply system; nor shall any such plumbing fixture or device be installed which will provide a possible cross-connection between the Town's water supply system and any well, spring, cistern, river or other private source of water supply. No water closet bowl shall be supplied directly from a domestic water supply system through a flush valve unless such valve is set above the water closet bowl in a manner so as to prevent any possibility of polluting the water supply and the valve is protected by an approved air-break or back-flow preventor.

In order to prevent back-siphonage, all heating plants connected to the water system shall have an approved check valve installed on the water line supplying the plant, and the check valve shall be installed ahead of the plant's automatic water feeder, or ahead of the boiler shut-off valve.

All humidifiers or similar devices having the water inlet below the overflow level shall be equipped with an approved non-siphon ball cock.

Water which has been used for cooling or heating purposes shall not be re-used for domestic purposes.

(e) Soda, bar, laboratory, dental, medical, surgical and other appliances requiring either a waste or water supply connection are plumbing fixtures and no such fixture may be connected to either a waste or water supply unless the said fixture is approved as free of any possibility of cross-connection or back-siphonage.

Dental, surgical or other aspirators shall not be of the type operated by water pressure, unless equipped with an approved vacuum-break device.

Section 5.

- (a) No direct connection shall be made from a swimming pool to the water supply piping of any building.
- (b) There shall be no direct connection between any domestic water supply line and any circulating pump, filter, water softener, or other apparatus or device that comes in contact with water in or from a swimming pool. The potable water supply inlet to the make-up tank or pool shall be located above the extreme overflow level in such manner as to prevent water from the tank or pool from entering the potable water supply line.

ARTICLE 7:

Protection from Damage

Section 1. No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenances or equipment which is a part of the waterworks. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct, or for violations of any of the laws of the State of Maryland.

ARTICLE 8:

Powers and Authority of Inspectors

Section 1. The Town and other duly authorized employees, or representatives of the Town bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observations, measurement, sampling and testing.

Section 2. The Town or other duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the interconnection of potable water supply line with industrial process water supply system and on the amounts of water required from the public water supply system. The industry may withhold information considered confidential. The industry must establish that the revelation to the public of the information in question might result in an advantage to competitors.

Section 3. While performing the necessary work on private properties referred to in Article 7, Section 1, above, the Town or its employees or representatives of the Town shall observe all safety rules applicable to the premises established by the company, the company shall be held harmless for injury or death to the Town employees or representatives, and the Town shall indemnify the company against loss or damage to its property by Town employees or representatives and against liability claims and demands

for personal injury or property damage asserted against the company and growing out of its gauging and sampling operation.

Section 4. The Town and other duly authorized employees or representatives of the Town bearing proper credentials and identification shall be permitted to enter all private properties through which the Town holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the waterworks lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

#### ARTICLE 9:

##### Charges for Water Service

Section 1. The Town is authorized to require a deposit of up to fifty (50) percent of the estimated cost of the connecting to the Town water mains as set forth in Article 4, Section 3.

Section 2. Notwithstanding other provisions in this Ordinance to the contrary, all connection charges or fees shall be waived as to all persons who connect to the water mains within one hundred and twenty (120) days from notification by the Town that the mains are ready for operation. Subsequent to the termination of the one hundred and twenty (120) days waiver period, all persons who connect to the water mains shall pay, in addition to all other charges stated in this Ordinance, a connection charge of Two Hundred Dollars (\$200.00) or the actual cost incurred by the Town of providing a public water service to the point of connection of the building water service, whichever is greater.

Section 3. An annual water service charge as set by the Mayor and Town Council of Accident shall be charged to each building water service, and said charge to be due and payable July 1<sup>st</sup>, of each year and overdue as of October 1<sup>st</sup>, of each year, said charges to be pro-rated the first year from the date of connection. The Town may bill the property owners on a monthly, quarterly, or any other basis as they may deem fitting and proper.

Section 4. The Town reserves the right to increase or decrease the rates and charges herein set forth by further Ordinance and to establish different classifications as to rates for residential, commercial or industrial use, and for special use where multiple units or dwelling units are served by a single building water service or by two or more building water services in accordance with Article 4, Section 5.

Section 5. All rates and/or charges referred to in this Ordinance shall constitute a lien on the real estate served and shall be collectible in the same manner as Town taxes or by suit of law.

ARTICLE 10:

Penalties

Section 1. Any person found to be violating any provision of this Ordinance except Article 7, shall be served by the Town with a written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice permanently cease all violations.

Section 2. Any person who shall continue any violation beyond the time limit provided for in Article 9, Section 1, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount of not exceeding \$500.00 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

Section 3. Any person violating any of the provisions of this Ordinance shall become liable to the Town for any expense, loss or damage occasioned by the Town by reason of such violating.

ARTICLE 11:

Validity

Section 1. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 2. The invalidity of any section, clause, sentence or provision of this Ordinance shall not affect the validity of any part of this Ordinance which can be given effect without such invalid part or parts.

Section 3. Whenever the public necessity, convenience, general welfare of the Town and its citizens require, the Town may amend or repeal any provision herein upon motion duly made and carried by a majority of the Town Council.

ARTICLE 12:

Ordinance in Force

Section 1. This Ordinance shall be in full force and effect as of the 1<sup>st</sup> day of June, 1975.

Section 2. Passed and adopted by the Mayor and Town Council of Accident, State of Maryland, on the 5<sup>th</sup> day of May, 1975.

ARTICLE V. MONUMENTS

Section 500. Improvements Required

Monuments shall be placed at each change in direction of boundary line; two (2) to be placed at each street intersection and one (1) on one side of each street at angle points and at the beginning and end of curves; utility easements shall be monumented at their beginning and at their end, and areas to be conveyed for public use shall be fully monumented at their external boundaries.

Section 501. Construction Standards

Monuments shall be placed in the ground after final grading is completed at a time specified by the Subdivision Administrator. Such monuments shall be of concrete at least thirty-six (36) inches in length and four (4) inches square with suitable center point and shall be set flush with the ground and to finish grade.

All monuments shall be checked for accuracy by the Subdivision Administrator, or their accuracy certified by the owner's engineer. Accuracy of monuments shall be within three one-hundredths ( $3/100$ ) of a foot.

APPENDIX B

SUBDIVISION APPLICATION  
ACCIDENT, MARYLAND

Date of Application \_\_\_\_\_ Fee Paid \_\_\_\_\_

Accident Municipal Planning Commission File No. \_\_\_\_\_

Application for: Tentative Sketch Review \_\_\_\_\_

Preliminary Review \_\_\_\_\_

Final Review \_\_\_\_\_

1. Owner of record of land: Name \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone No. \_\_\_\_\_
2. Applicant: Name \_\_\_\_\_  
Telephone No. \_\_\_\_\_
3. Agent or Attorney, (if any): Name \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone No. \_\_\_\_\_
4. Registered Engineer or Surveyor: Name \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone No. \_\_\_\_\_
5. Name of Subdivision \_\_\_\_\_
6. Where deed is recorded \_\_\_\_\_
7. Number of Lots \_\_\_\_\_
8. Average Lot Size \_\_\_\_\_
9. Total Area to be Subdivided \_\_\_\_\_
10. Water Supply: Public System \_\_\_\_\_
11. Sewerage System: Public System \_\_\_\_\_
12. Zoning reclassification of subject land \_\_\_\_\_
13. Lineal feet of new streets \_\_\_\_\_
14. Copy of all restrictions, covenants, etc., if any, under which lots are to be sold.

Attached \_\_\_\_\_

None \_\_\_\_\_

15. Improvements to be made by applicant to subject land with approximate estimate cost of each:

|  | <u>Unit Cost</u> | <u>No. of Units</u> | <u>Total</u> |
|--|------------------|---------------------|--------------|
| a. Widening of Existing Streets.....   | _____            | _____               | _____        |
| b. New Street.....                     | _____            | _____               | _____        |
| c. Street Signs.....                   | _____            | _____               | _____        |
| d. Water Supply and Fire Hydrants..... | _____            | _____               | _____        |
| e. Sewage Disposal.....                | _____            | _____               | _____        |
| f. Storm Drainage.....                 | _____            | _____               | _____        |
| g. Monuments.....                      | _____            | _____               | _____        |
| h. Curbs.....                          | _____            | _____               | _____        |
| i. Sidewalks.....                      | _____            | _____               | _____        |
| j. Street Lights.....                  | _____            | _____               | _____        |
| k. Park Land.....                      | _____            | _____               | _____        |

16. Statement fixing period requested for completion of all items in Paragraph 15 above: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

17. A copy of the description of land as set forth in deed shall be attached.  
 Parcel Number \_\_\_\_\_

\_\_\_\_\_  
 Signature of Owner



APPENDIX C

ACCIDENT, MARYLAND  
Check List For  
TENTATIVE SKETCH PLAN

Name of Subdivision: \_\_\_\_\_ A.M.P.C. File No. \_\_\_\_\_

The following check list summarizes the information which must be shown in order to be reviewed by the Accident Municipal Planning Commission. The check list shall be filled out by the Subdivision Administrator and applicant at the time of submission, and if incomplete, the plan shall be returned to the applicant noting the deficiencies.

|  | <u>Check Item<br/>If Complete</u> |
|--|-----------------------------------|
| 1. Three (3) copies of the tentative sketch plan and application | _____                             |
| 2. Name of Subdivision   | _____                             |
| 3. Name and address of owner                                     | _____                             |
| 4. Name and address of the engineer or surveyor                  | _____                             |
| 5. Tract boundaries  | _____                             |
| 6. North point and date  | _____                             |
| 7. Streets on and adjacent to the tract                          | _____                             |
| 8. Significant topographical and physical features               | _____                             |
| 9. Proposed general street layout                                | _____                             |
| 10. Proposed general lot layout                                  | _____                             |
| 11. Contours based on U.S.G.S. topography                        | _____                             |

\_\_\_\_\_  
Date of Completed Submission

Signatures

\_\_\_\_\_  
Subdivision Administrator

\_\_\_\_\_  
Applicant

APPENDIX D

ACCIDENT, MARYLAND  
Check List For  
PRELIMINARY PLAT

Name of Subdivision: \_\_\_\_\_ A.M.P.C. File No. \_\_\_\_\_

The following check list summarizes the information which must be shown on the preliminary plat in order to be reviewed by the Accident Municipal Planning Commission. The check list shall be filled out by the Subdivision Administrator and if incomplete, the plat shall be returned to the applicant noting the deficiencies.

- |   | <u>Check Item<br/>If Complete</u> |
|---|-----------------------------------|
| 1. Three (3) copies of the preliminary plat and application   | _____                             |
| 2. Name of subdivision  | _____                             |
| 3. Name and address of the owner  | _____                             |
| 4. Name and address of the engineer or surveyor   | _____                             |
| 5. Zoning classification and dimensional requirements   | _____                             |
| 6. Date, north point and scale  | _____                             |
| 7. Scale of 1" = 50 feet or 1" = 100 feet   | _____                             |
| 8. Location map   | _____                             |
| 9. Tract boundaries indicated by a heavy solid line   | _____                             |
| 10. Location, names and right-of-way and pavement widths of existing streets, location of property lines and names of owners, location of water courses, sanitary sewers, and storm drains within 400 feet of tract | _____                             |
| 11. Existing monuments indicated  | _____                             |
| 12. Location, size and purpose of underground utilities, rights-of-way, and easements within property   | _____                             |
| 13. Topography  | _____                             |
| 14. Location of existing buildings, wooded areas, marshy areas, and areas subject to flooding   | _____                             |
| 15. Layout of proposed street names, right-of-way and pavement widths   | _____                             |

- 16. Layout and approximate dimensions of lots, average and minimum lot size, building setback lines \_\_\_\_\_
- 17. Cross-sections and centerline profiles for each proposed street \_\_\_\_\_
- 18. Sites intended to be dedicated \_\_\_\_\_

\_\_\_\_\_  
Date of Completed Submission

Signatures

\_\_\_\_\_  
Subdivision Administrator

\_\_\_\_\_  
Applicant

APPENDIX E

ACCIDENT, MARYLAND  
Check List For  
FINAL PLAT

Name of \_\_\_\_\_ A.M.P.C.  
Subdivision: \_\_\_\_\_ File No. \_\_\_\_\_

The following check list summarizes the information which must be shown on the final plat in order to be reviewed by the Accident Municipal Planning Commission. The check list shall be filled out by the Subdivision Administrator and applicant at the time of submission, and if incomplete, the plat shall be returned to the applicant noting the deficiencies.

- |  | <u>Check Item<br/>If Complete</u> |
|--|-----------------------------------|
| 1. Four (4) copies of the final plat and application   | _____                             |
| 2. Sheet size of 18" x 24" or 24" x 36"  | _____                             |
| 3. Name of subdivision   | _____                             |
| 4. Name and address of owner   | _____                             |
| 5. Name and address of the engineer or surveyor  | _____                             |
| 6. Zoning reclassification and dimensional requirements  | _____                             |
| 7. Date, north point and scale   | _____                             |
| 8. Scale of 1" = 50 feet or 1" = 100 feet  | _____                             |
| 9. Location map  | _____                             |
| 10. Tract boundaries indicated by a heavy solid line showing bearings and distances  | _____                             |
| 11. Location, names and right-of-way and pavement widths of existing streets, location of property lines, and names of owners, location of water courses, sanitary sewer and storm drains within 400 feet of tract | _____                             |
| 12. Location of all monuments indicated  | _____                             |
| 13. Location, size and purpose of underground utilities, rights-of-way, and easements within property  | _____                             |
| 14. Topography   | _____                             |
| 15. Location of existing buildings, wooded areas, marshy areas,  | _____                             |

- and areas subject to flooding \_\_\_\_\_
- 16. Layout of proposed street names, right-of-way and pavement widths \_\_\_\_\_
- 17. Layout and approximate dimensions of lots, average and  
minimum lot size, building setback lines \_\_\_\_\_
- 18. Cross-sections and centerline profiles for each proposed street \_\_\_\_\_
- 19. Sites intended to be dedicated \_\_\_\_\_
- 20. Provisions, plans and/or measures taken to comply with the  
Garrett County Stormwater Management Ordinance and the  
Garrett County Soil and Erosion Control Ordinance \_\_\_\_\_
- 21. Signature of the County Engineer for compliance with the  
above Ordinances \_\_\_\_\_

\_\_\_\_\_  
Date of Completed Submission

Signatures

\_\_\_\_\_  
Subdivision Administrator

\_\_\_\_\_  
County Engineer

\_\_\_\_\_  
Applicant

APPENDIX F

A.M.P.C.  
File No. \_\_\_\_\_

ACCIDENT, MARYLAND  
Check List For  
MINOR SUBDIVISION PLAT

- |  | <u>Check Item<br/>If Complete</u> |
|--|-----------------------------------|
| 1. Three (3) copies of the plat and application  | _____                             |
| 2. Sheet size of 18" x 24" or 24" x 36"  | _____                             |
| 3. Scale of 1" = 50 feet or 1" = 100 feet  | _____                             |
| 4. Name of subdivision   | _____                             |
| 5. Name and address of owner   | _____                             |
| 6. Name and address of engineer or surveyor  | _____                             |
| 7. Zoning classification   | _____                             |
| 8. Date, north point and scale   | _____                             |
| 9. Location map  | _____                             |
| 10. Tract boundaries indicated by solid line showing bearings<br>and distances   | _____                             |
| 11. The location, names and widths of street, the location of<br>property lines and names of owners, the location of water<br>courses, sanitary sewers, storm drains, and similar features | _____                             |
| 12. The location of existing buildings   | _____                             |
| 13. Proposed layout of numbered lots   | _____                             |
| 14. Total area and minimum lot size and building setback lines   | _____                             |
| 15. Provisions, plans and/or measures taken to comply with the<br>Garrett County Stormwater Management Ordinance and the<br>Garrett County Soil and Erosion Control Ordinance              | _____                             |
| 16. Signature of the County Engineer for compliance with the<br>above Ordinances   | _____                             |

\_\_\_\_\_  
Date of Completed Submission

Signatures

---

Subdivision Administrator

---

County Engineer

---

Applicant

APPENDIX G

ACCIDENT, MARYLAND  
Check List For  
LOT LINE ADJUSTMENT

- |  | <u>Check Item<br/>If Complete</u> |
|--|-----------------------------------|
| 1. One (1) copy of the application   | _____                             |
| 2. Sheet size of 8.5" x 14"  | _____                             |
| 3. Name and address of owner   | _____                             |
| 4. Name and address of engineer or surveyor  | _____                             |
| 5. Zoning Classification   | _____                             |
| 6. Date, north point, and scale  | _____                             |
| 7. Location map  | _____                             |
| 8. Tract boundaries indicated by solid line showing bearings<br>and distances  | _____                             |
| 9. The location and names of street, the location of property<br>lines and names of owners, the location of water courses,<br>sanitary sewers, storm drains and similar features | _____                             |
| 10. The location of existing buildings   | _____                             |
| 11. Total area, minimum lot size and building setback lines  | _____                             |

Date of Completed Submission: \_\_\_\_\_

Signatures:

\_\_\_\_\_  
Subdivision Administrator

\_\_\_\_\_  
Applicant



Application No. \_\_\_\_\_

PUBLIC WORKS AGREEMENT  
TOWN OF ACCIDENT  
ACCIDENT, MARYLAND 21502

Application for Plat Approval:

1. I, \_\_\_\_\_, hereinafter referred to as the  
“Developer”, respectfully request Garrett County, Maryland hereinafter referred to as  
“Town”, through its Planning Commission, to approve a plat for development or  
improvement of the (\_\_\_\_\_) property, (\_\_\_\_\_)  
subdivision, known as  
\_\_\_\_\_ on land owned by  
the Developer.

2. Type of Proposed Development: (Check)

(\_\_\_\_) Cottage    (\_\_\_\_) Semi-Detached    (\_\_\_\_) Group    (\_\_\_\_) Apartment

3. List Names of Roads or Streets:

1) \_\_\_\_\_

From \_\_\_\_\_ To \_\_\_\_\_

Length \_\_\_\_\_.

2) \_\_\_\_\_

From \_\_\_\_\_ To \_\_\_\_\_

Length \_\_\_\_\_.

3) \_\_\_\_\_

From \_\_\_\_\_ To \_\_\_\_\_

Length \_\_\_\_\_.

4) \_\_\_\_\_

From \_\_\_\_\_ To \_\_\_\_\_

Length \_\_\_\_\_.

5) \_\_\_\_\_

From \_\_\_\_\_ To \_\_\_\_\_

Length \_\_\_\_\_.

6) \_\_\_\_\_

From \_\_\_\_\_ To \_\_\_\_\_

Length \_\_\_\_\_.

Four copies to be prepared and forwarded to Town of Accident, Town Hall, Accident, Maryland 21520.

4. Whereas, the Developer, as a condition precedent to the approval of said plat, covenants and agrees with Town of Accident to provide water pipes, sanitary sewers, storm drains, streets and other public facilities, in the manner hereinafter set forth.

5. The Developer respectfully requests the Town to construct or cause to be constructed within the (\_\_\_\_\_) property (\_\_\_\_\_) subdivision, known as \_\_\_\_\_, the following public facilities and subdivision improvements deemed by the Town to be necessary and appropriate in the public interest, namely: (Check) (\_\_\_\_) water mains, (\_\_\_\_) sanitary sewer mains, (\_\_\_\_) sanitary sewer connections, (\_\_\_\_) storm drains, (\_\_\_\_) streets or roads, (\_\_\_\_) bridges, (\_\_\_\_) sewage pumping station, (\_\_\_\_) sewage treatment plans. (\_\_\_\_) \_\_\_\_\_. All in accordance with Town standards of design and construction and Town regulations set forth in the Subdivision Regulations.

6. Grading of Rights-of-Way:

The Developer agrees to complete the grading of the roads or streets to the established subgrade for the full width of the Right-of-Way prior to the notifying of the contractors by the Town to proceed with the improvements, this grading to include slope easements and to be done at the Developer's entire cost and expense. Before installation of utilities, the Developer also agrees to regrade existing roads and streets to meet the official street grades established by the Town, to grade widening strips on existing roads within or adjacent to the development, and all alleys and rights-of-way in which any utilities are to be located to final grade and in the event that this grading involves the placing of fill, the fill shall be free of all trash and shall be thoroughly compacted. The right-of-way for utilities shall be cleared of trees, brush and debris by the Developer. The Developer agrees to notify the Department of Public Works when the grading has been completed, and this grading must be approved by the Department of Public Works before any contract is awarded.

7. The Developer further agrees to cut back the ground and/or trees in conjunction with grading of the right-of-way to the extent deemed necessary by the Director of Public Works to provide adequate sight distance at intersections of streets at which a traffic hazard may be indicated because of limited visibility.

8. Subgrade of Streets:

The Developer further agrees to construct such subgrade reinforcement or additional drainage structures that may be necessary due to soft spots or areas which develop during or after the construction of utilities and which require subgrade reinforcement or drainage structures before street paving can be accomplished.

9. In the event that the Developer fails to carry out such subgrade reinforcement or drainage construction after proper notice by the Director of Public Works, the Director of Public Works is herewith authorized to order such work done by the road contractor as a part of the street construction with payment being made by the Developer on completion of the improvements.

10. Sidewalks and Alleys:

The Developer further agrees to construct sidewalks on all streets where curbs and gutters are required, and alleys where they are required in accordance with approved plans and specifications. This work shall be done at the Developer's entire expense under Town inspection.

10. Paving Schedules:

No work on road contracts will be permitted between December 15<sup>th</sup> and March 15<sup>th</sup> unless the Developer accepts full responsibility for the work. In the event that the Developer wishes to proceed with paving during this period, the Developer agrees to deposit with the Town an amount deemed sufficient by the Department of Public Works to cover any damages due to weather.

Prior to paving of streets, flood control strips and easements will be cleared, properly graded and stabilized.

12. Retaining Walls:

Where retaining walls are required by the Department of Public Works along streets, alleys or rights-of-way, plans and specifications for construction and grading must be approved by the Department of Public Works. No cinder block or concrete block retaining walls will be permitted. The cost shall be borne by the Developer.

13. The Developer further agrees to grade the land in such a way that it will prevent storm water from concentrating on or causing a nuisance to other properties. Building elevations will be set above 100 year flood level or hurricane tide elevation and with proper regards for drainage, sewer and street grade requirements. The 100 year flood

plain or hurricane tide elevation, if any, shall be platted and subject to approval by the Director of Public Works before any building permits will be issued within the development.

14. Springs:

If springs exist where ground water reaches the surface of the ground in this subdivision, the Developer agrees to direct the water from such springs through approved piping to the storm drainage system at the Developer's entire cost.

15. Trees:

No planting of trees will be allowed within the dedicated street width.

16. Storm Drainage:

The Developer shall bear the full cost of storm drainage carried to an acceptable outfall. Where offsite rights-of-way are required, building permits shall not be issued until all rights-of-way are cleared and construction plans have been submitted to the Town for review.

17. When the 100 year flood plain area or hurricane tide elevation is platted and approved, the Developer agrees to deed in fee to the Town, without charge, any land lying within the flood plain area or hurricane tide elevation upon request. All improvements to the flood plain area or hurricane tide elevation area shall be the Developer's responsibility.

18. In the event that bridges, culverts or street-crossing pipes (over 48" in diameter) are required, the Developer agrees to furnish plans and to contribute one-half of the cost of the pipe, bridge or culvert. Street-crossing pipes 48" in diameter and under will be considered a part of the street paving system. If the bridge width required by the Town is greater than that needed to serve the development as determined by the Town of Accident, the additional width will be paid for by the Town. This paragraph refers to bridge or culvert structures only and not to the approaches. Approaches to the bridge are considered to be the Developer's responsibility, as well as the placing of fill and paving over the bridge or culvert.

19. Paving Costs:

The Developer shall assume the full costs of street paving, curbs and gutters in this development for the standard pavement width for this type of development, and the cost of one-half of a standard street section on all existing roads abutting the property. The Town will assume the cost of any additional pavement width required by the Department of Public Works which is deemed necessary for facilitating traffic movement.

20. Where roads or streets abut flood control strips or other areas set aside by the Developer without charge to the Town for recreation and park purposes, the Developer shall pay for curbs and gutters on his side of the street only and for one-half of the required pavement from the face of the curb. Curbs and gutters on the opposite side of the street and any extra width of street pavement shall be paid for by the Town.

21. Responsibility for Water/Sewer Installations:

The Developer further agrees to be responsible for the protection of meter vaults and piping and to keep the vaults at the grade set by the Department of Public Works. The Developer also agrees to be responsible for the protection of manholes, inlets, etc. If any vaults are knocked out of place, the Developer will pay to reset them. If any piping, manholes, inlets, etc., are damaged, the Developer will pay for replacing same.

22. Sanitary sewer house connections and water services will be installed by the utility contractor. Sanitary sewer house connections will be installed to the property line. Where the sidewalk is adjacent to the property line, the water meters will be placed between the curb and sidewalk. Where the sidewalk is adjacent to the curb, the water meter will be placed between the property line and the sidewalk.

23. This development lies in Water Area No. \_\_\_\_\_ and/or Sewer Area No. \_\_\_\_\_. The Developer agrees to pay the applicable water and sewer area connection charges per housing unit or equivalent housing units in the development.

24. If for any reason revisions to this work are required after bids are received or construction started, such revisions to plans will be made by the Developer's engineer; and if contractor is required to suspend operations due to these revisions, the Developer will be financially responsible for time lost by the contractor.

25. Financial Arrangements:

After bids for the utilities have been received and accepted as satisfactory by the Town and the undersigned, the Developer will deposit with the Town, in cash, or certified check, an amount equal to the aggregate cost of the proposed work plus overhead charges as established by the Town of Accident at the time of awarding of contract, and the said Town shall have authority to finance these improvements by means of any applicable State and/or Federal Grants and/or Loans.

26. The amount of this deposit will be based on the following formula:

- a) Estimated principal deficit for water main extensions (if any).
- b) Estimated principal deficit for sanitary sewers (if any).
- c) Cost of water services.
- d) Cost of sanitary sewer house connections.
- e) Estimated cost of curbs and gutters and street paving. This estimate shall include a contingent item of 10%.

- f) Assessment or cost of storm drainage as determined by the above Paragraph 16.
- g) Water and/or sewer area connection charges (if any).

IF UNFORSEEN CONSTRUCTION CONDITIONS arise during the period of construction which result in added costs, the Developer agrees to pay such added cost when notified by the Director of Public Works. The Town, at the Developer's written request, will include a penalty-bonus clause in the contracts for the construction of improvements listed in Item 5. If such clause is included, the Developer agrees to pay the bonus if it is earned and the Town agrees to pay the Developer the collected penalty if it is imposed.

27. Estimates for this Agreement have been prepared according to the policies in effect at the date of this Agreement. If construction of improvements has not been placed under contract within two years of the date of this Agreement, the Agreement will be subject to any new policy change.

28. Engineering:

It is understood that the cost of design and preparation of construction drawings (including storm drainage), title examinations, easement plats and deeds, will be borne by the Developer and these drawings will be prepared by our engineer and presented to the department for criticism, revision and final approval. When this preliminary engineering work is handled (on this basis), overhead charges by the Town will include checking plans, preparing estimates, advertising and award of contracts, determining and processing assessments and field inspection and supervision.

29. The Developer agrees to convey a fee simple deed to the beds of the streets and alleys upon completion of the paving; to convey all easements for sewer, water and storm drains, and to convey a fee simple deed for storm drain flood control strips upon completion of channel and/or drainage reservation improvements.

30. Final Costs:

If the actual financial deficits on water main and sanitary sewer extensions and the actual cost of street paving, all as determined by final costs, should exceed the deposits, the Developer agrees to pay such additional costs on receipt of a bill from the Town and if final costs are less than the deposits, adjustments will be made by the Town to the Developer.

31. Building Permits:

Building permits will not be released until this Agreement has been completed, and plat has been recorded and made a part hereof.

32. Legality:

Upon acceptance and approval of this Agreement by the Town of Accident, this Public Works Agreement shall be considered to be legally executed and binding upon the parties hereto, their successors, personal representatives, heirs and assigns, and if the conditions of this Public Works Agreement are violated, the Town may pursue the remedies set forth in Ordinances, Resolutions and Charter of Town of Accident.

33. Remarks:

34. Date \_\_\_\_\_ Signed \_\_\_\_\_ (SEAL)

WITNESS: \_\_\_\_\_ Address \_\_\_\_\_

Received by the Accident Municipal Planning Commission \_\_\_\_\_

Survey made and plans prepared by \_\_\_\_\_

Preliminary plat approved \_\_\_\_\_

35. ESTIMATED COST OF CONSTRUCTION

(Based on Preliminary Plans and subject to change when final plans are approved and bids are received thereon.)

|  |                          |                            |
|--|--------------------------|----------------------------|
| Engineering,<br>Administration<br><u>Legal Costs</u> | Estimated<br><u>Cost</u> | Required<br><u>Deposit</u> |
|--|--------------------------|----------------------------|

Sewers and Water

A. Sanitary Sewer Mains L.F. \_\_\_\_\_ (Deficit)

B. Sanitary Sewers House  
Connections Each \_\_\_\_\_

C. Water Mains L.F. \_\_\_\_\_ (Deficit)

D. Water Services Each \_\_\_\_\_

E. \_\_\_\_\_

### INSTRUCTIONS

It is the intention of the said Town the Developer shall:

1. Pay all administrative and legal costs relative to the improvements identified in the attached Public Works Agreement.
2. Said Developer shall make all arrangements for funding to cover costs of construction and advance all said costs or be able to show to the satisfaction of the said Town that sufficient loan funds are available to cover the entire construction costs.
3. Should any deficit, deficiency or over-run of costs occur, said Developer shall be solely responsible for the payment of same.
4. The facility contemplated for construction shall be finally approved by the said Town.