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# SUBDIVISION REGULATIONS

Russell County, Alabama

SUBDIVISION REGULATIONS  
ADOPTED AUGUST 13, 1996  
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## ARTICLE 1: GENERAL PROVISIONS

### **Section 1.1. Authority**

By authority of Act #95-573, Sections 11-24-1 through 11-24-7 of the Code of Alabama 1975, the Planning Commission does hereby exercise the authority to review, approve and disapprove plats for subdivisions within the Subdivision Jurisdiction of the County of Russell, Alabama.

### **Section 1.2. Purpose**

For the purposes of promoting the health, safety, morals, convenience, order, prosperity and general welfare of the county; to encourage economically sound and stable land developments; to assure the provision of required roads, utilities, and other facilities and services to land developments; to assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in land development; to assure the provision of needed public open spaces and building sites in land developments through the dedication or reservation of land for recreational, educational, and other public purposes; and to assure that land is developed in conformity with the Comprehensive Plan of the Russell County Planning Commission of Russell County, Alabama, do ordain and enact into law the following articles and sections.

### **Section 1.3. Short Title**

This document shall be known and may be cited as the Subdivision Regulations of Russell County, Alabama.

**ARTICLE 2: DEFINITION OF CERTAIN TERMS USED**

**Section 2.1. General**

When used in these Regulations, the following words or phrases shall have the meaning given in this Section. Terms herein defined shall have their customary dictionary definitions where not consistent with the context.

**Section 2.2. Use of Words**

Words used or defined in one tense or form shall include other tenses and derivative forms.

The word "shall" is mandatory. The word "may" is permissive.

Words in the singular sense shall include the plural sense and words in the plural sense shall include the singular.

The masculine gender shall include the feminine gender and the feminine gender shall include the masculine.

The word "person" includes a "firm", "association", "organization", "partnership", "trust", "company", or "corporation" as well as an "individual".

The word "building" includes the word "structure".

**Section 2.3. Definitions**

Certain words and phrases used within these regulations are defined as follows:

ADT (Average Daily Traffic) – total volume of vehicles during a given time period, in whole days, as measured during a non-holiday weekday.

ALDOT – Alabama Department of Transportation

Block – a tract of land, usually consisting of more than one lot, bounded by roads, railroad rights-of-way, shorelines, waterways, subdivision boundaries or other boundary lines. All lots within a block are contiguous.

County – Russell County, Alabama

County Commission – the County Commission of Russell County, Alabama.

County Engineer – The duly designated Engineer of Russell County, Alabama.

Cul-de-Sac – a road having one end permanently terminated with a paved turnaround.

Dead End – a stub road in a subdivision that will be continued at a later time into another portion of the subdivision.

Design Storm Event –

- o 100 Year Flood - Flood created by a 100-year storm event, a storm having a one percent chance of being equaled or exceeded in any given year.

- 50 Year Flood - Flood created by a 50-year storm event, a storm having a two percent chance of being equaled or exceeded in any given year.
- 25 Year Flood - Flood created by a 25-year storm event, a storm having a four percent chance of being equaled or exceeded in any given year.
- 10 Year Flood - Flood created by a 10-year storm event, a storm having a ten percent chance of being equaled or exceeded in any given year.

Development – includes, but is not limited to, the design work of lot layout, the construction of drainage structures, the construction of buildings or public use areas, the planning and construction of public roads, and the placement of utilities and any other applicable construction or improvement required or included in a subdivision project. A subdivision does not include any construction or development of roads or buildings on private property to be used for agricultural purposes.

The Rules of the Alabama Department of Public Health have two categories of developments that, for the purposes of these Subdivision Regulations, may be defined as follows:

- Large-Flow Development – A subdivision that will have onsite sewage treatment and disposal instead of sanitary sewers and where the number of bedrooms for all proposed dwellings totals nine or more.
- Small-Flow Development – A subdivision that will have onsite sewage treatment and disposal instead of sanitary sewers and where the number of bedrooms for all proposed dwellings totals eight or fewer or as defined by A.D.P.H. regulations.

Engineering Department – See Engineer’s Office

Engineer’s Office – Office of County Engineer (Engineering Department or Highway Department)

Easement – a grant by the property owner(s) for use of land by the public, a utility, a corporation, or person(s) for specified reasons.

Family, Immediate Family- A person’s parents, spouse, children, and siblings, as well as those of the person’s spouse.

Final Plat – a plan or map of a tract of land that meets the requirements of these regulations and is in form for recording in the Office of the Probate Judge of Russell County, Alabama.

Health Department – Alabama Department of Public Health (Russell County Health Department)

Health Officer - the Russell County Health Officer.

Large-Flow Development – See Development

Lot - a portion or parcel of land separated from other portions or parcels by description as on a subdivision plat or record by survey map or as described by metes and bounds, and intended

for sale, lease, or for development.

Marginal Access Road - a service road or other treatment used to provide adequate protection of properties in cases where an arterial runs through or near a subdivided area.

Major Subdivision – see Subdivision

Manufactured Home Park – a contiguous group of two or more manufactured home lots that are rented or leased.

Mobile Home Park – See Manufactured Home Park

Minor Subdivision – see Subdivision

Planning Commission – the Russell County Planning Commission.

Preliminary Plat – a tentative plan of a proposed subdivision submitted to the Planning Commission for its consideration.

Private Road – a road not open for public use that affords the principal means of access to abutting property.

Public Utility - an organization which provides a basic service to the public, such as water, energy, transportation, or telecommunications

Solid Waste Officer – the Russell County Solid Waste Officer.

Small-Flow Development – See Development

Road – a roadway for vehicular traffic (whether designated as an expressway, highway, road, boulevard, avenue, drive, court, lane, alley, or other) and, for the purposes of these Regulations, divided into functional classification (categories) found below. Functional classification for Russell County is designated by ALDOT and can be found on the latest published “Russell County Highway Functional Classification System” map.

- Arterial – Road with a dual function to move traffic and to provide access to land uses, particularly the high trip-generating commercial activities. In terms of counties, major and minor collector routes, as classified by the Federal Highway Administration, may require treatment as this type of route even though they are termed collector roads.
- Collector – A route whose primary function is to collect traffic from an area and move it to the arterial road system while also providing substantial service to abutting land use, and which typically does not have extensive continuity.
  - Major Collector -- These routes should: (1) Provide service to any large towns not directly served by the higher systems and to other traffic generators of equivalent intra-county importance, such as consolidated schools, shipping points, county parks, important mining and agricultural areas, etc.; (2) link these places with nearby larger towns or cities, or with routes of higher classification; and (3) serve the more important intra-county travel corridors.

- Minor Collector --These routes should: (1) Be spaced at intervals, consistent with population density, to collect traffic from local roads and bring all developed areas within a reasonable distance of a collector road; (2) provide service to the remaining smaller communities; and (3) link the locally important traffic generators with their rural hinterland.
- Local Road – A road which primarily serves to provide access to adjacent land; and provide service to travel over relatively short distances as compared to collectors or other higher systems.
- Alley - a minor way used for the service access to the rear of properties otherwise fronting on a road.

Sewer System- The Russell County Sewer Authority or the Hurtsboro Water and Sewer Board

Sub-divider - is the person, firm, corporation, syndicate or other entity having such a proprietary interest in the land to be subdivided as will authorize the maintenance of proceedings to subdivide such land under this Regulation or the authorized agent of such person, firm or corporation for the purpose of undertaking activities covered by these Regulations.

Subdivision – As defined in Code of Alabama 1975, 11-24-1(a)(4), the development and division of a lot, tract, or parcel of land into two or more lots, plats, sites, or otherwise for the purpose of establishing or creating a subdivision through the sale, lease, or building development of the lot or lots.

- Major Subdivision – All subdivisions not classified as a minor subdivision.
- Minor Subdivision – all divisions of a tract of land into five lots (building sites or other division) or less where no extension of water, sewer, drainage, roads, or other infrastructure as required by these regulations.

Not included within this definition:

- The construction or development of roads or buildings on private property to be used for agricultural purposes. See, Code of Alabama 1975, 11-24-1(a)(4).
- The public acquisition by purchase or donation of strips of land for widening or opening of roads
- Property divided between immediate family members as provided in Code of Alabama 1975, 11-24-2(d). Land locked property created by division of family property requires a 30-foot access easement and a note on the deed stating 'easement will not be publically maintained'.

Water System – either the Russell County Water Authority, Ft. Mitchell Water System, or Hurtsboro Water and Sewer Board.

**ARTICLE 3: ADMINISTRATIVE**

**Section 3.1. Compliance**

All subdivisions within Russell County outside of the incorporated area of Hurtsboro and outside the planning jurisdiction of Phenix City must comply with these Regulations.

**Section 3.2. Use of a Plat**

The transfer of, sale of, lease of or agreement to sell any portion of a proposed subdivision by reference to, exhibition of, or other use of a plat of that subdivision not having been given final approval by the Planning Commission and recorded in the Office of the Judge of Probate of Russell County is prohibited, and the description by metes and bounds in the instrument of transfer or other document shall not exempt the transaction from penalties; with the exception of pre-sale agreements which are authorized in limited circumstances according to Alabama Code 11-24-1.1 Act 2014-332

**Section 3.3. Acceptance of Roads**

Acceptance of roads and other improvements for maintenance by the County may only be made by the County Commission. Neither approval of the Final Plat by the Planning Commission and County Engineer, nor the approval of the Construction Plans, nor certification by the County Engineer that the improvements have been constructed in accordance with the requirements of these Regulations constitute acceptance by the County of any roads or other improvements within the subdivision.

**Section 3.4. Building Permits and Erection of Buildings**

No building permit shall be issued and no building shall be erected on any lot in a subdivision governed by these regulations unless the final plat has been recorded. Any building erected in violation of these provisions is an unlawful structure and the Building Inspector, County Attorney or other agent of the county shall enjoin such erection or cause the building to be vacated or moved. For construction within the corporate limits or the one and one half mile police jurisdiction of Phenix City, building permits shall be obtained from Phenix City. For construction outside the one and one half mile police jurisdiction of Phenix City, building permits shall be obtained from Russell County.

**Section 3.5. Permit to Develop**

No improvements may be initiated until the Preliminary Plat, the Construction Plans and the Drainage Plans have been approved and the County Engineer has issued a Permit to Develop for the subdivision.

**Section 3.6. Requirements Held Minimum**

In their interpretation and application, the provisions of these Regulations shall be held to be minimum requirements. More stringent provisions may be required if it is demonstrated that they are necessary to promote public health, safety and general welfare.

## ARTICLE 4: PRE-APPLICATION REVIEW PROCEDURE

### **Section 4.1. General**

The purpose of this Pre-application Review is to facilitate the subsequent preparation of plans.

### **Section 4.2. Planning Commission**

Whenever the subdivision of a tract of land is proposed, the sub-divider is urged to consult early and informally with the Planning Commission. In this way the developer can obtain the advice and assistance of the Planning Commission and other county departments, and facilitate the subsequent preparation and approval of the subdivision plat.

The sub-divider may present a lot layout sketch. This sketch may be a freehand sketch, but should be drawn to scale. The information submitted should include the location of the proposed subdivision in relation to the surrounding area; existing features such as railroads, highways, drainage facilities, lake, woodland; other significant natural and built features; the general topography of the site; and the proposed pattern of roads, lots, and blocks. The lot layout sketch should be submitted to the Planning Commission. Copies may be distributed to other County departments to obtain comments and suggestions.

The lot layout sketch is intended to serve as an initial step in the subdivision process. Although not required by law it is included in the review process because it allows the sub-divider and local officials to discuss the proposed subdivision in an informal setting, and to correct any design errors and/or problems during the early stages of the project.

Upon receiving favorable consideration by the Planning Commission, the sub-divider may proceed to prepare the Preliminary Plat for the subdivision. However, neither the sub-divider nor the Planning Commission shall be bound by the pre-application review; and it is expressly understood that favorable consideration by the Planning Commission at the pre-application stage of the process shall under no circumstances be construed as preliminary or tentative approval.

### **Section 4.3. Health Department**

Whenever the proposed subdivision of a tract of land will have an onsite sewage treatment and disposal system instead of a sanitary sewer, the sub-divider shall consult with the Health Department.

## ARTICLE 5: APPLICATION PROCEDURE

### **Section 5.1. General**

The sub-divider shall apply for approval of the subdivision according to the following procedures.

For a Minor Subdivision, the developer is required to submit for approval a Final Plat and possibly a Drainage Plan (see Section 5.5.3. Subheading 7) if warranted by the County Engineer.

For a Major Subdivision, the developer is required to submit for approval a Preliminary Plat, Construction Plans, and Final Plat.

### **Section 5.2. Sheet Size**

Sheet size shall be either 18 inches by 24 inches (18" x 24") or 24 inches by 36 inches (24" x 36") inches. If the complete plat cannot be drawn on one sheet of this size, it may be shown on more than one sheet with match lines and an index map on a separate sheet of the same size.

### **Section 5.3. Fees**

Russell County has established the following schedule of fees, as authorized under Code of Alabama 1975 Section 11-24-3, to cover costs associated with the inspection and review of subdivision developments. The total fee is dependent on the size and type of subdivision. The schedule below is a **guide** to the charges that will be incurred by the developer at a minimum. The developer is responsible for **all** charges, including inspection and testing, incurred by the county during the subdivision approval process. The fee schedule is as follows:

Preliminary Plat review Fee	\$100
Permit to Develop Fee	\$25
Final Plat Review Fee	\$100
Lot Fee	\$12 per lot, site, or unit (paid at time of final plat)
Road Fee	\$0.60 per linear foot of roadway constructed and inspected (paid at time of final plat)

### **Section 5.4. Preliminary Plat Application**

#### **Section 5.4.1. Submittal**

For a proposed major subdivision, the sub-divider shall apply for preliminary approval as follows:

At least 21 calendar days prior to a regularly scheduled meeting of the Planning Commission at which the plat is to be considered; submit to the County Engineer one copy of a completed Application for Subdivision Review and Acceptance, 8 copies of the Preliminary Plat for the proposed major subdivision, and a list of names and mailing addresses of all adjoining property owners to whom a letter of notification is to be sent.

#### **Section 5.4.2. Scale**

The Preliminary Plat shall be clearly and legibly drawn at a scale no smaller than one hundred feet to one inch, unless the Planning Commission approves a scale of two hundred feet to one

inch at the time of the Pre-application Review.

Section 5.4.3. Information to be provided on Preliminary Plat

The Preliminary Plat shall contain the following information:

- 1 Name(s) and address(es) of owner(s) of record;
- 2 Proposed name of subdivision;
- 3 Site data, which includes:
  - a Acreage in total tract,
  - b Smallest lot size;
  - c Total number of lots;
- 4 Township, Range and Section in which the subdivision is located;
- 5 Date, north arrow, graphic scale;
- 6 Vicinity map showing location of subdivision relative to major landmarks;
- 7 Name, address, phone number and name of licensed land surveyor and/or engineer;
- 8 Boundaries of the tract of land being subdivided showing distances and bearings;
- 9 Section, half-section and quarter section lines;
- 10 Municipal corporate and planning jurisdiction limits;
- 11 The location, name, width of pavement and width of right-of-way of existing roads on and adjacent to the tract being subdivided;
- 12 The location, name and width of right-of-way or easement of existing railroads, transmission lines and public utilities on and adjacent to the tract being subdivided;
- 13 The location of existing buildings, water courses, drainage structures and jurisdiction lines on and adjacent to the tract being subdivided;
- 14 Topographic information with ten-foot or lesser contour intervals sufficient to clearly show existing drainage patterns;
- 15 The location and size of existing water mains on, adjacent to or near the site as well as the location and/or distance to the flush hydrant nearest the tract of land being developed;
- 16 The location and size of any existing sanitary sewer lines, manholes and structures on and adjacent to the tract of land being subdivided;
- 17 Proposed location of storm water detention basin(s);

- 18 Wooded areas, marshes, and any other conditions affecting the site;
- 19 Any area within or adjacent to the proposed subdivision subject to inundation by the 100-year flood projections as shown on the Flood Insurance Rate Maps by the Federal Emergency Management Agency;
- 20 Names and addresses of the owners of land immediately adjoining the tract of land being subdivided, as the names appear in the current records in the County Tax Assessor or Revenue Commissioner's office;
- 21 The names and locations of adjoining subdivisions and roads, with reference to recorded plats by record name;
- 22 Proposed layout of roads showing their proposed names, width of right-of-way, width of pavement, centerline stationing;
- 23 Proposed location and width of easements, any land to be reserved or dedicated for public uses and any land to be used for purposes other than single-family dwellings;
- 24 Proposed lot lines with distances, block letters and lot numbers;
- 25 Proposed building setback lines;
- 26 Proposed conceptual provisions for potable water supply, sanitary sewage and storm drainage;

A checklist of these requirements can be found attached to this document.

#### Section 5.4.4. Review of Preliminary Plat

Upon receipt of the required documents; the application will be reviewed for compliance with the appropriate rules, regulations and requirements.

The County Engineer will, determine whether the plat does or does not meet these regulations. A copy of this determination and any necessary corrections will be sent to the developer and/or the engineer or surveyor of record. No further action will be taken by the County Engineer until and unless the developer shall correct the deficiencies and resubmit the corrections to the County Engineer for his approval. Corrections shall be re-submitted 7 days prior to the scheduled Planning Commission meeting.

Once the County Engineer verifies that the preliminary plat meets the County Regulations and, if applicable, the developer provides the required surety, the Proposed Plat shall be submitted to the Planning Commission

Approval of a Preliminary Plat shall not constitute approval of the Final Plat of the proposed subdivision but shall be deemed only as an expression of approval of the plan submitted as a guide to preparation of the Final Plat. Approval of a Preliminary Plat shall be effective for 18 months, unless, upon application by the Sub-divider, the Planning Commission grants an extension. If the Final Plat has not been submitted for final approval within this time limit, the Preliminary Plat shall again be filed for tentative approval.

If the Planning Commission does not take action on a Preliminary plat within 90 calendar days of the date of the public meeting, the Preliminary plat shall be considered disapproved and a certificate of disapproval shall be issued on demand. However, the applicant may waive this requirement and consent to an extension of time.

Section 5.4.5. Certificate of Preliminary Approval

A certificate of Approval of the Preliminary Plat by the Planning Commission shall be inscribed on the plat as follows:

"Pursuant to the Subdivision Regulations of Russell County, Alabama, all the requirements of Preliminary approval having been fulfilled, this Preliminary Plat was given Preliminary Approval by the Russell County Planning Commission on \_\_\_\_\_, 20\_\_\_\_.

"This Preliminary Approval does not constitute approval of a Final Plat. Certification of Preliminary Approval shall expire and be null and void on \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_ Date

\_\_\_\_\_ Chair, Russell County Planning Commission"

**Section 5.5. Construction Plans**

Section 5.5.1. Submittal

Following the approval of the Preliminary Plat for a Major Subdivision, the sub-divider shall submit Construction Plans conforming to the minimum standards of design and general construction of public improvements as set forth in these Regulations. They shall be prepared, signed and sealed by a Professional Engineer registered in the State of Alabama.

Submit to the appropriate Water and Sewer System one copy of a completed Application for Subdivision Review and Acceptance, and two copies of the Construction Plans for the proposed major subdivision.

Submit to the County Engineer: signed copies of the Health Department's and Water Authorities' completed Application for Subdivision Review and Acceptance; three copies of the Construction Plans for the proposed major subdivision; all required local, state, or federal permits; and the Permit to Develop fee as indicated in Section 5.3.

If any changes in the development plans of the approved proposed plat are required for any reason, the developer shall submit the proposed changes to the County Engineer **prior** to construction or implementation of the proposed changes. Approval of the County Engineer shall be required before any changes are constructed. Any changes or deviations from the approved proposed plans prior to the County Engineer's approval shall be in violation of these regulations and shall be subject to removal or correction at the expense of the developer.

Changes to the proposed subdivision construction plans that do not change the overall layout of the subdivision may be reviewed and approved by the County Engineer without the requirement of the proposed plat having to be resubmitted for approval by the County Commission. Any changes that do change the overall layout of the subdivision shall require the proposed plat to be resubmitted for approval by the Planning Commission.

### Section 5.5.2. Scale

The Construction Plan shall be clearly and legibly drawn at a scale no smaller than one inch equals fifty feet on a size of twenty-four inches by thirty-six inches (24" X 36").

### Section 5.5.3. Information to be provided on Construction Plans

The Construction Plans shall include the following:

- 1 Title Sheet showing the name of the subdivision, the name, contact number and address of the owner; the name, contact number and address of the designer; the plan date; a site location map; and a sheet index.
- 2 Site Layout Plan showing a plan view of the entire subdivision.
  - a Location of all proposed and existing roads or right-of-ways in or adjacent to the subdivision.
  - b Width of existing and proposed rights-of-way and easements.
- 3 Street Plan containing the following information:
  - a Road names/numbers.
  - b Plan and profile of all roads, showing natural and finished grades and ditch grades (max 10%) drawn to a scale of not less than one inch equals one hundred feet horizontal and one inch equals ten feet vertical.
  - c Horizontal and vertical curve data for the centerline of each road.
  - d Location of all required sidewalks and crosswalks.
  - e Location of all proposed utilities and where required by utilities; developers will need to execute temporary easements to allow installation of utilities prior to Final Approval by the same location as shown on the preliminary plat as reviewed by the County Engineer
  - f Size and location of side drains required for each lot
  - g Drainage structures and storm sewer (if applicable). Show on same sheet with plan view if possible
- 4 Sanitary Sewer Plan, if applicable, containing the location of all existing and proposed sewers, location of sewer laterals, location of each manhole and other sewage system appurtenances including lift stations, oxidation ponds, and treatment plans, and the plan and profile of the sewage system. Construction details of typical manholes, connections, and other proposed sewage structures should also be shown.
- 5 Water Distribution Plan containing the location and size of water distribution system including pipes, valves, fittings, hydrants, high-pressure pumping equipment, etc.
- 6 Grading and Erosion Control Plan showing the original and finished contours, location,

and type of measures anticipated for erosion and sediment control and storm water management. The plan shall use the "Alabama Handbook for Erosion Control, Sediment Control and Storm water Management on Construction Sites and Urban Areas" published by the Alabama Soil and Water Conservation Committee as a guide and incorporate the applicable best management practices found therein in addition to any other practices proven successful elsewhere.

- 7 Drainage Plan required for all major subdivisions and minor subdivisions that create more than one acre of disturbance or an increase in peak runoff. The Drainage Plan shall meet the minimum standards of design and general requirements for the construction of public improvements as set forth in these Regulations. Unless otherwise indicated, a Drainage Plan shall be drawn at a scale of not less than one inch equals fifty feet. The Rational Method may be used for drainage areas up to and including 50 acres and the Soil Conservation Service Method shall be used for drainage areas greater than 50 acres. The Drainage Plan shall contain the following information:
  - a Location of proposed drainage ways, streams, and ponds in the subdivision.
  - b Topography at suitable contour intervals, as approved by the County Engineer, to show proposed drainage.
  - c Area of land contributing run-off to each drainage structure along with run-off calculations and applicable coefficients depending method used.
  - d Location, size, and invert elevations of proposed drainage ditches, basins, and structures including culverts, bridges, pipes, drop inlets, junction boxes, and top elevations of head walls, etc., showing details on the Drainage Plan.
  - e Construction details of typical inlets, junction boxes, connections and other proposed drainage structures.
  - f Typical cross-sections of each drainage way.
- 8 Detail Sheets showing the necessary standard construction and installation criteria for all items that will become part of the infrastructure. Not limited to, but including roadways, drainage, utilities and sidewalk.
- 9 Cross-Section Sheets. Cross sections of existing roadways that adjoin the subdivision property and proposed roadways showing original and finished grades. Shown at a minimum of 50-foot stations or as required by the County Engineer.
- 10 Project Notes shall include, as a minimum, the following:
  - a "The County Engineer shall be notified at least 72 hours in advance prior to beginning work and at least 24 hours in advance of resuming work. Failure to do so may lead to the County not accepting maintenance of roads"
  - b "All materials and construction requirements shall be in accordance with the requirements of the Russell County Subdivision Regulations. If not specified therein, materials and construction requirements for roads and drainage shall comply with the current edition of the ALDOT Standard Specifications for Highway Construction.

Materials and construction requirements for utility installation shall comply with the specifications of the applicable utility.”

- c “Prior to beginning construction, the contractor shall locate all existing utilities.”
- d “All necessary traffic control devices shall conform to the latest edition of the Manual of Uniform Traffic Control Devices.”
- e “No underground cables, wires or fiber optics shall be placed within 3 feet of any water main, service line or sewer line.”
- f “All public utilities shall be located on the back portion of the right-of-way and a minimum 5 feet from the edge of pavement.” A permit shall be required by the Engineer’s Office.

Design calculations shall be submitted with the Construction Plans.

#### **Section 5.5.4 Review of Construction Plans**

Upon receipt of the required documents, the County Engineer will review the construction plans and other required documents. Any required corrections will be sent to the engineer of record for that development. Once the corrections are re-submitted to the County Engineer and approved, the County Engineer will issue a permit to develop.

#### **Section 5.6. Permit to Develop**

Upon approval of construction plans for major subdivisions or final plat for minor subdivisions, the County Engineer will issue a Permit to Develop allowing the sub-divider to proceed with construction of the development in compliance with these Regulations.

#### **Section 5.7. Final Plat**

##### **Section 5.7.1. Submittal**

For a Minor Subdivision, or within **18** months after preliminary approval of a Major Subdivision, the sub-divider shall apply for final approval as follows:

Submit to the Health Department one copy of a completed Application for Subdivision Review and Acceptance and one copy of final plat

Submit to the appropriate water and sewer System one copy of a completed Application for Subdivision Review and Acceptance; one copy of the Final Plat for the proposed subdivision; a breakdown of final quantities, including costs, prepared by a licensed engineer of the water and sewer line; and one set of as-built plans certified on each sheet by the designer and engineer that it accurately represents the subdivision improvements as they were actually constructed. .

Submit to the County Engineer at least 21 working days prior to the next regularly scheduled meeting of the Planning Commission

- 1 The Final Plat review fees as indicated in Section 5.3.
- 2 One copy of a completed Application for Subdivision Review and Acceptance
- 3 The original of the Final Plat for the proposed subdivision as signed by the water authority and the Health Department, and 8 copies of the Final Plat for the proposed subdivision signed by the water authority and the Health Department. Final plat shall be identical to the proposed plat with the exception of the certificates.
- 4 One set of as-built plans certified on each sheet by the designer and engineer that it accurately represents the subdivision improvements as constructed. In addition, one electronic copy of the Construction Plans and Drainage Plan, as constructed, shall be submitted.
- 5 One copy of a letter from the E-911 coordinator stating that the name(s) of the proposed subdivision and road(s) neither duplicates nor closely approximates the name of an existing subdivision or road in Russell County.
- 6 A copy of the protective covenants to be recorded stating
  - a "No brick/masonry mailboxes can be installed within the clear zone of the roadway. Any mailbox located within the clear zone will of a standard breakaway design."
  - b If the subdivision contains common open space or other amenities for the use of residents of the subdivision, provision shall be made for a homeowner or residents association or other means for maintaining the common open space or other amenity.
  - c If the subdivision contains drainage basins, provision shall be made for a homeowner or residents association or other means to adequately maintain the basin and keep it free of trees, shrubs and weeds.
- 7 The sub-divider shall provide a refundable deposit in the amount of \$200 until the certified original copy of the recorded plat is returned to the County Engineer.
- 8 For a Major Subdivision, the Final Plat shall also be accompanied by the following items;
  - a A performance and maintenance bond in accordance to ARTICLE 11.
  - b A breakdown of final quantities, including costs, prepared by a licensed engineer of the following items; water lines, sewer lines, storm drain pipe, curb and gutter, sidewalks, and pavement (linear feet).

#### Section 5.7.2. Scale

The Final Plat shall be clearly and legibly drawn at a scale no smaller than one hundred feet to one inch, unless the Planning Commission approves a scale of two hundred feet to one inch at the time of the Pre-application Review.

Section 5.7.3. Information to be provided on Final Plat

The Final Plat shall contain the following information:

- 1 Name(s) and address of owner(s) of record;
- 2 Name of subdivision;
- 3 Site data, which includes acreage in total tract; smallest lot size, and total number of lots, linear feet in streets ;
- 4 Township, Range and Section in which the subdivision is located;
- 5 Date, north arrow, graphic scale;
- 6 Vicinity map showing location of subdivision relative to major landmarks;
- 7 Name, address, phone number and seal of licensed land surveyor and/or engineer;
- 8 Exact boundaries of the tract of land being subdivided, shown with bearings to the nearest second and distances to the nearest hundredth of foot, balanced and closed with an apparent error of closure not to exceed 1 in 10,000;
- 9 The location of the subdivision in relation to the U.S. government land survey by distances and bearing to a corner of a section, one-quarter section or a one-quarter of a one-quarter section. Local tie for horizontal and vertical control must be made to two or more existing monuments based upon NAD 83 horizontal and NAVD 88 vertical datum, or accepted datum. At least two corners of the subdivision boundary shall be referenced to the State Plane Coordinate System. All survey data shall be according to the current Standards of Practice for Land surveying in the State of Alabama;
- 10 The location, name, and width of right-of-way of existing roads on and adjacent to the tract being subdivided;
- 11 The location, name and width of right-of-way or easement of existing railroads, and public utilities on and adjacent to the tract being subdivided;
- 12 The location of existing buildings, water courses, drainage structures and jurisdiction lines on and adjacent to the tract being subdivided;
- 13 Wooded areas, marshes, streams, lakes, swamps, land subject to flood and any other conditions affecting the site;
- 14 Any area within or adjacent to the proposed subdivision subject to inundation by the 100-year flood projections as shown on the Flood Insurance Rate Map by the Federal Emergency Management Agency;
- 15 Names and addresses of the owners of land immediately adjoining the tract of land being subdivided, as the names appear on current records of the Russell County Tax Appraiser;
- 16 The names and locations of adjoining subdivisions and roads, with reference to recorded plats by record name;

- 17 Location and width of easements, any land to be reserved or dedicated for public uses and any land to be used for purposes other than single-family dwellings;
- 18 The bearing and length of every lot line;
- 19 Block letters and lot numbers;
- 20 Proposed minimum building setback lines;
- 21 Proposed parks, school sites, or other public open spaces, if any;
- 22 Certification by Health Department;
- 23 Certification by water authority and sewer authority;
- 24 Flood plain certification;
- 25 Certification note by County Engineer;
- 26 Certification note for Planning Commission.
- 27 In the case of a variance being granted to a sub divider; said variance shall be clearly stated on plat.
- 28 If easements are shown on the plat, the following notes shall be written on plat:
  - a "(All) easement(s) is/are privately maintained."
  - b "(All) easement(s) has/have met current county specifications."
  - c "The Russell County Commission is not responsible for any maintenance of easement(s) shown on this plat."
  - d "Lots containing the minimum 19,000 Square feet of lot size shall be limited to a 4 bedroom home. For each additional bedroom, an additional 2,000 square feet of lot size shall be required."

A checklist of these requirements can be found in attached to this document.

The Final Plat shall conform substantially to the Preliminary Plat as approved.

Section 5.7.4. Review of Final Plat

Upon receipt of the required documents; the application will be reviewed for compliance with the appropriate rules, regulations and requirements.

The County Engineer will determine whether the plat does or does not meet these regulations. A copy of this determination and any necessary corrections will be sent to the developer and/or the engineer or surveyor of record. No further action will be taken by the County Engineer until and unless the developer shall correct the deficiencies and resubmit the corrections to the County Engineer for his approval. Corrections shall be re-submitted to the County Engineer by the engineer of record 7 days prior to the scheduled Planning Commission meeting.

Once the County Engineer verifies that the final plat meets the County Regulations and, if applicable, the developer provides the required surety, the Proposed Plat shall be submitted to the Planning Commission

The Planning Commission shall approve or disapprove a plat within 90 days after the submission thereof to it; otherwise, the plat shall be deemed to have been disapproved, and a certificate to that effect shall be issued by the Planning Commission on demand; provided, however, that the applicant for the Planning Commission's approval may waive this requirement and consent to an extension of such period.

Section 5.7.5. Appeal of Administrative Review

If the Planning Commission disapproves the Final Plat, the sub-divider may appeal the decision to the County Commission. Eight copies of the Subdivision Plat shall be presented to the County Commission at least ten working days prior to the date of the next regular meeting of the Commission. The sub-divider, or his duly authorized representative, shall attend meetings of the Commission to discuss the plat.

Section 5.7.6. Recording of Final Plat

Within 30 calendar days of approval of the Final Plat, the sub-divider shall record the original in the office of the Probate Judge of Russell County unless an extension is granted by the planning commission.

Section 5.7.7. Copies of Recorded Plat

The sub-divider shall provide the E-911 coordinator and the County Engineer one copy of the Final Plat as recorded in the Office of the Judge of Probate of Russell County.

Section 5.7.8. Endorsements and Certificates

The following are **example** endorsements and certificates to be placed on the Proposed Plat: **Please contact appropriate Departments to verify if these certificates are currently valid.**

Surveyor's certificate:

"I hereby certify (or state) that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief."

Surveyor's Signature: \_\_\_\_\_

Alabama License Number \_\_\_\_\_ Date \_\_\_\_\_

Owner's certificate:

"Owner's Certification:  
State of Alabama, Russell County

The owner of the land shown on this Plat and whose name is subscribed hereto, in person or through a duly authorized agent, certifies that this plat was made from an actual survey, that all state and county taxes or other assessments now due on this land have been paid.

Agent/owner: \_\_\_\_\_

Date: \_\_\_\_\_ "

Certificate of Dedication. A certification by the owner setting forth the description of the areas and improvements he dedicates to the public and the extent of the title that is being dedicated should be attached to the Final Plat.

"I (We) hereby certify that I (we) adopt this plan of subdivision, establish the minimum building setback lines, and dedicate all roads, alleys, walkways and other open spaces to public use as noted.

Owner: \_\_\_\_\_ Owner: \_\_\_\_\_

Date: \_\_\_\_\_ "

Certificate of Approval of Utilities Department:

"I hereby certify that the community or public water supply and distribution system installed or to be installed by the developer, and/or the plan for private water supplies in the subdivision plat attached hereto meet the requirements of the Utilities Department.

Russell County Water Authority \_\_\_\_\_

Ft. Mitchell Water System \_\_\_\_\_

Date: \_\_\_\_\_ "

Notary Certificate:

The State of Alabama

\_\_\_\_\_ County

I, \_\_\_\_\_, A notary public, hereby certify that \_\_\_\_\_ whose Name is signed above, and who is known to me, acknowledged before me on this day, being informed of the contents of this plat, has executed the same voluntarily on the day the same bears date. Given under my hand this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

My Commission Expires \_\_\_\_\_

\_\_\_\_\_

Certificate of Sewer Authority:

The undersigned, as authorized by the Russell County Sewer Authority hereby approved the within plat for the recording of the same in the Probate Office of Russell County, Alabama, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Sewer Officer

Certificate of Approval for Recording:

"I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations of Russell County and that it has been approved by the Russell County Planning Commission for recording in the office of the Judge of Probate of Russell County, Alabama.

\_\_\_\_\_  
Chair, Russell County Planning Commission

\_\_\_\_\_  
Secretary, Russell County Planning Commission

Date: \_\_\_\_\_"

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Certificate of Approval by the County Engineer

The undersigned, as County Engineer of the County of Russell, Alabama, hereby certifies approval of this plat for the recording of same in the Probate Office of Russell County, Alabama, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
County Engineer  
County of Russell, Alabama

Certificate of Approval by the Russell County Health Department:

**Contact Health Department for Certificate**

Certificate for County Commission

Russell County hereby accepts any land and rights-of-ways dedicated for required street improvements.

\_\_\_\_\_  
Authorized Agent of Russell County

\_\_\_\_\_  
Date

## ARTICLE 6: GENERAL SUBDIVISION REQUIREMENTS

### **Section 6.1. General**

In every major subdivision, adequate roads and utilities shall be planned for and provided by the sub-divider as a condition for approval of the Final Plat:

Lots, blocks, road grading, base, and paving shall all be designed and designated in accordance with these Regulations.

All water distribution and sanitary sewage systems shall be designed and constructed in accordance with the appropriate utility system and these Regulations.

### **Section 6.2. Suitability of Land**

Land subject to flooding, improper drainage, or erosion or land that is for topographical or other reasons unsuitable for residential use shall not be platted for residential use nor for any other use that will continue to increase the danger to health, safety, or property destruction, unless the hazards can be and are corrected prior to final plat approval. No land shall be platted for use that would be in conflict with the identifiable flood plains or other zoning provisions in effect in Russell County.

### **Section 6.3. Name of Subdivision**

The name of the subdivision must have the approval of the Planning Commission and the E-911 Coordinator. The developer shall have the proposed subdivision name verified by the E-911 coordinator that it does not duplicate nor closely approximate the name of an existing subdivision in Russell County.

### **Section 6.4 Road Names**

Each new road and alley within the proposed subdivision shall have a name verified by the E-911 coordinator that the road names do not in any way conflict with, or are not similar to, those already existing in Russell County. A letter is required to be submitted with verifying E-911 approval of road names prior to plat being placed on agenda for final approval.

Road names shall require the approval of the Planning Commission or its agent(s). Roads that are obviously in alignment with roads already existing shall be given the name of the existing road.

### **Section 6.5 Access**

All access to county roads must meet the requirements of these regulations, the County Access Management Policy, and conform to any required local and state permits. Where policy or permits conflict or overlap; the more stringent of the requirements will be utilized.

#### **Section 6.5.1 Access to Adjacent Properties**

Proposed roads shall be extended by dedication to the boundary of adjacent property where the subdivision is platted with only one access to a public road or where the adjacent property has no access to a public road. Such an extension may be required in other instances where, in the opinion of the Planning Commission, it is desirable to provide road access.

Section 6.5.2 Development along Major Road, Limited Access Highway or Railroad Right-of-Way

Where a subdivision abuts or contains an arterial, a limited access highway or a railroad right-of-way the Planning Commission shall require a marginal access road or other treatments recommended by the County Engineer which may be necessary to provide for the adequate protection of properties, and to afford separation of through and local traffic. No lot will be allowed to have access directly onto an arterial.

Section 6.5.3 Development along an Existing County Road

Where a major subdivision abuts any existing county road which does not meet the minimum requirements of these regulations, the Planning Commission may require additional improvements by the developer at the recommendation of the County Engineer to improve the road and provide safe access to the subdivision.

Where a major subdivision abuts a major collector the Planning Commission shall require a marginal access road or other treatments recommended by the County Engineer which may be necessary to provide for the adequate protection of properties, and to afford separation of through and local traffic.

Subdivisions that adjoin or include existing roads will require additional right-of-way as necessary to meet the minimum standards specified in these Regulations. When part of the subdivision is on both sides of the existing road the entire additional right-of-way shall be provided. When the subdivision is located on only one side of an existing road, one-half of the required right-of-way, measured from the centerline of the existing right-of-way, shall be provided. This provision may be waived on minor subdivisions where in the opinion of the County Engineer, the additional right-of-way is not necessary for future improvements.

Section 6.5.4 Conformance to Comprehensive Plan and Other Plans

When features of other plans adopted by the Planning Commission (such as schools or other public building sites, parks, roads, transportation corridors or other land for public uses) are located in whole or in part in a land subdivision, such features shall be either dedicated or reserved by the sub-divider for acquisition within a reasonable time by the appropriate public agency.

Whenever a plat proposes the dedication of land to public uses that the Planning Commission finds not required or suitable for such public use, the Planning Commission shall refuse to approve the plat, and shall notify the governing body of the reasons for such action.

Where public use is to be made of the property and where the residents of the subdivision will receive primary benefit, dedication of the property should be encouraged. Where the public use is for the public as a whole, the community should pay proportionally for the acquisition of reserved areas within a reasonable time. A reasonable time is to be determined according to the circumstances, because the sub-divider should not be required to hold his land idle for an indefinite period far into the future.

## ARTICLE 7: DESIGN STANDARDS FOR BLOCK AND LOTS

### **Section 7.1 Block Size**

Block lengths and widths shall be as follows:

Distances between road intersections shall not be greater than 1,800 feet or less than 400 feet in length, except in unusual circumstances and as approved by the Planning Commission.

Blocks shall be wide enough to provide two tiers of lots of minimum depth except where abutting upon major roads limited access highways, or railroads or where other situations make this requirement impracticable as agreed to and approved by the Planning Commission.

### **Section 7.2 Lot Size**

Lot sizes shall conform to the following minimum requirements:

Minimum lot width at the right-of-way shall be 60 feet.

Where neither public water nor sanitary sewer is provided, said lot shall contain a minimum of 40,000 square feet in area, subject to approval of the Health Department, and have a minimum frontage of 150 feet at the building line.

Where public water is provided but not sanitary sewer, said lot is subject to the approval of the Health Department, shall have a minimum frontage of 100 feet at the building line and shall contain a minimum of 19,000 square feet in area plus an additional 2,000 square feet for each additional bedroom over four,

Where public water and sanitary sewer are provided, said lot shall be a minimum of 10,000 square feet in area and have a minimum frontage of 85 feet at the building line.

Easements, frequently flooded areas, swamps, marshes, wetlands and areas of high-shrink or hydric soils shall not be used in computing lot sizes.

Lot width shall be measured at minimum lot setback line as established in Section 7.7

### **Section 7.3 Lot Designation**

Each lot within a block shall be identified by a whole Arabic numeral, starting with the number 1 and continuing numerically.

### **Section 7.4 Remainder of Parcel**

The portion of the parcel remaining after the subdivision of new lots shall comply with all zoning requirements if applicable.

### **Section 7.5 Lot Lines**

All lot lines shall be perpendicular or radial to road lines, unless not practical because of topographic or other features.

### **Section 7.6 Double and Reverse Frontage Lots**

Double frontage and reverse frontage lots should be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation.

**Section 7.7 Building Setback Lines**

Building setback lines shall meet the setback requirements denoted in this section and shall be denoted on the Plat.

Where no zoning is in effect, the minimum setback for lots **without sewer** shall be 40 feet from the road right-of-way upon which the lot fronts, 10 feet from side lot lines and 20 feet from rear lot lines.

The minimum setback for lots **with sewer** shall be 30 feet from the road right-of-way upon which the lot fronts, 10 feet from side lot lines and 20 feet from rear lot lines.

**Section 7.8 Flag Lots**

Flag lots shall be permitted subject to approval by the Russell County Planning Commission. Flag lots shall be exempt from the 60-foot access requirement provided the proposed lot shall meet a minimum 30 feet access width at the right-of-way line and maintain a minimum width of 30 feet. The minimum distance between flag lots shall be 250 feet except that a maximum of two flag lots may be approved side by side provided these two lots share a common access. A flag lot cannot be further subdivided to provide an additional building site.

## ARTICLE 8: DESIGN AND CONSTRUCTION REQUIREMENTS

### **Section 8.1. Responsibility for Building Roads**

The sub-divider shall construct all roads within the subdivision and all access roads necessary to connect to existing public roads regardless of distance. All roads shall meet the requirements of these Regulations prior to acceptance by the County.

### **Section 8.2. Acceptance as a Public Road**

To be accepted and maintained by Russell County as a public road, all roads must be designed and constructed in accordance with the requirements of this article.

### **Section 8.3. Continuation of Existing Roads**

Existing roads adjacent to the subdivision shall be continued at the same or greater width, but in no case shall be less than the required width.

### **Section 8.4. Street Intersections**

Street Intersections shall be at right angles unless approved by County Engineer, in no case shall the angle of the intersection be less than 75 degrees.

### **Section 8.5. Road Jogs**

Road jogs with centerline offsets of less than 125 feet shall not be permitted.

### **Section 8.6. Cul-de-Sac**

Except where topographic or other conditions make a greater length unavoidable, cul-de-sacs, or dead-end road, shall not be greater in length than 700 feet. They shall be provided at the closed end with a turnaround having a right-of-way radius of at least 50 feet with a pavement radius of at least 40 feet. Temporary turnarounds shall be provided for dead-end roads that are scheduled to be extended at a later date. **Temporary turnarounds shall be provided with a suitable easement and an approved surface.**

### **Section 8.7. Alleys**

Alleys may be required at the rear of all lots used for multifamily, commercial, or industrial developments. Alleys in residential subdivisions shall not be permitted unless the sub-divider provides evidence satisfactory to the Planning Commission of the need for alleys.

### **Section 8.8. Reserve Strips**

Reserving strips which control access to roads, alleys and public grounds shall not be permitted unless their control is placed in the hands of the County.

### **Section 8.9. Entrance Requirements**

A single entrance shall serve a maximum of 99 lots. Where the property configuration prohibits the installation of more than one entrance, the Planning Commission may waive this requirement upon recommendation of the County Engineer. Two entrance roads shall serve a maximum of 250 lots. Each additional entrance road beyond two shall serve up to an additional 250 lots. All major subdivisions will provide an entrance with a 35 foot paved radius.

### **Section 8.10. Turn Lanes**

All major subdivisions that access an existing county road shall provide a turn lane and/or acceleration and deceleration lanes as required in accordance with the Russell County Access Management Policy at each subdivision entrance.

A traffic study, performed by a county-approved engineering firm, may be required if warranted by the County Engineer to determine additional improvements.

**Section 8.11. Geometric Design for Public Roads**

These design standards shall be the minimum allowable standards for all developments. Roads with greater than or equal to 2,500 ADT shall also be designed to conform to AASHTO’s “A Policy on Geometric Design of Highways and Roads”, latest edition. Standards above the minimum may be required by the Planning Commission or County Engineer depending on location and type of development. The Planning Commission shall not grant any variance, modification or waiver of the requirements for design unless recommended by the County Engineer. Regardless of whether or not the developer intends to seek county acceptance of roads in the subdivision, the following design standards shall be considered minimum requirements for all subdivisions. It is the responsibility of the developer to communicate and schedule with the County Engineer prior to initiating any and all steps of the road building process. In addition to other penalties prescribed by law and by these regulations, any road construction performed without the knowledge and inspection of the County Engineer will not be considered for acceptance by the county. Refer to Section 3.3. regarding acceptance of roads and streets for county maintenance.

- 1 Right-of-way shall be in accordance with the following table:

**Table 1: Minimum Right-of-Way**

<b>ROAD TYPE</b>	<b>WITHOUT CURB AND GUTTER</b> (ft)	<b>WITH CURB AND GUTTER</b> (ft)
Arterial	100	80
Collector	80	60
Local Road (>2500 ADT)	80	60
Local Road (<2500 ADT)	60	50

Additional right-of-way may be required if conditions warrant as determined by the County Engineer.

- 2 Pavement Width shall have a minimum paved width as shown in the table, below, with a minimum cross-slope of 2%. An arterial shall have a pavement width consisting of at least two travel lanes, a third center lane for left turns only and shall have right-turn lanes at each intersection with a major or minor collector. All other road types shall have at least two travel lanes.
- 3 At intersections, the right-of-way shall be designated by a chord of an arc of an appropriate radius.

**Table 2: Minimum Pavement and Shoulder Width without Curb and Gutter**

<b>ROAD</b>	<b>PAVEMENT WIDTH</b>	<b>SHOULDER WIDTH</b>
Local Road or Cul-de-Sac (<1500 ADT)	20 feet	4 feet
Local Road (>1500 ADT)	22 feet	4 feet
Collector	24 feet	8 feet
Arterial	36 feet	10 feet

**Table 3: Minimum Pavement Width with Curb and Gutter**

ROAD	PAVEMENT WIDTH
Cul-de-Sac	26 feet
Local Road (<1500 ADT)	26 feet
Local Road (>1500 ADT)	30 feet
Collector	30 feet
Arterial	36 feet

- 4 Shoulders for roads without curb and gutter shall have a minimum width on each side of the pavement width as shown in Table 2, and have a shoulder slope from 4% to 6% away from the edge of pavement. For roads with curb and gutter, the minimum shoulder width in cut or fill sections shall be five feet.
- 5 Roadway for roads without curb and gutter shall be considered to extend from outside edge of shoulder to outside edge of the opposite shoulder. For roads with curb and gutter, the roadway shall be considered to extend from back-of-curb to back-of-curb.
- 6 Clear zone for roads without curb and gutter shall extend a minimum of 10 feet from the edge of pavement and shall be free of obstructions. The slope within the clear zone beyond the shoulder shall be a maximum of 3 horizontal to 1 vertical.
- 7 Grade of a road shall be restricted to the range indicated by the table, below.

**Table 4: Maximum and Minimum Road Grades**

ROAD	MAXIMUM	MINIMUM
Local Road	12%	1%
Collector	10%	1%
Arterial	8%	1%

Within 25 feet of an existing County Road intersection, grade shall be 2% sloping away from intersection.  
 Within 50 feet of an intersection, the maximum grade shall be 5%.

- 8 Vertical curves: Every change in grade of a road shall be connected by a vertical curve constructed in accordance with the current standards established by the American Association of State Highway and Transportation officials. Profiles of all roads showing natural and finished grades drawn to a scale of not less than one inch equals one hundred feet horizontally and one inch equals ten feet vertically shall be required.
- 9 Horizontal curves: The minimum radius of curvature of roads on the center line shall be as follows:

Type of Road	Minimum Radius
Arterial	500 feet
Collector	350 feet
Local Road	180 feet

Super elevation shall be required where it is warranted in the opinion of the County Engineer.

A tangent of at least 100 feet in length shall be introduced between reverse curves on all roads unless otherwise approved by the County Engineer.

- 10 Sidewalk: All sidewalk installed on the right-of-way shall be designed to ALDOT specifications and approved by the County Engineer. A separate bond shall be required if sidewalks are to be constructed after the final plat has been approved and signed by the County Engineer.
- 11 Signs: The sub-divider shall install all road name signs of the design, color, and size as in current use by Russell County and all traffic signs, pavement striping, markings and legends in conforming to the latest published edition of "The Manual on Uniform Traffic Control Devices." Sign type and materials shall be approved by the County Engineer.
- 12 Striping: All striping and legends that may be required by the County Engineer shall conform to ALDOT specifications and the latest edition of the MUTCD. The material shall be a reflective thermoplastic material.

### **Section 8.12. Drainage Requirements**

There shall be no increase in peak discharge leaving the subdivision post development compared to that leaving the site predevelopment during a 2-year, 10-year, and 25-year rainfall event. If the discharge is into the drainage system of a State or County road, or the discharge is into a drainage channel that flows under a State or County road, the post development flow shall also not exceed the predevelopment flow during a 50-year rainfall event. Drainage structures, ditches and other channels shall be designed by a licensed engineer and provided together with any necessary appurtenances necessary to control storm water. For concrete box culverts and bridges, the design shall be made using a minimum 50-year storm frequency. The design of pipe cross drains located at roadway sag points shall be made using a minimum 25-year storm frequency. All other portions of the storm water system, and all side drain, ditch and other channel and all other cross drain shall be designed using a minimum 25-year storm frequency.

- 1 Cross drains, or roadway pipe, shall be constructed using reinforced concrete pipe fabricated to minimum Class III standards with a minimum equivalent nominal internal diameter of 18 inches. Pipe shall extend outside the clear zone and shall terminate with a vertical winged headwall or a slope-paved end treatment. Pipe grades should be designed to be self-cleansing at a minimum. Exit velocities of pipes/ storm drains shall not exceed 10 feet per second (fps). Dependent upon the storm water requirements in the area of the proposed subdivision, storm water detention shall be required unless otherwise approved by the County Engineer. Installation shall follow ALDOT specifications.
- 2 Side drains, or driveway pipe, shall be constructed using reinforced concrete pipe fabricated to minimum Class III standards with a minimum equivalent nominal internal diameter of 15 inches. Both ends of the pipe shall have an approved end treatment with a maximum 3 horizontal to 1 vertical slope. Corrugated metal and HDPE will be allowed with a minimum of two feet of cover. All driveways are required to be permitted by the Engineer's Office prior to installation and inspected after installation but prior to any driveway paving.
- 3 Drainage pipe located outside of the roadway may be High Density Polyethylene

(HDPE) pipe meeting the requirements of ASTM F2306. Other pipe materials may be approved outside the roadway if its specifications meet or exceed those listed above. No metal pipe will be allowed except for driveways. HDPE pipe shall be installed according to ASTM D2321 or per manufacturer's recommendations. Contractors will be required to demonstrate that they are familiar with the appropriate or approved installation techniques for HDPE pipe.

- 4 Storm water runoff from within the right-of-way and from adjacent lots shall be collected and channeled away from the pavement width and from the lot frontages and discharged at a point of natural drainage where a drainage easement will be established. The ditch shall be sufficiently wide and of such a profile to carry the volume of storm water at a velocity not greater than that which will cause erosion. Back slopes shall commence at the outside edge of the ditch bottom and rise to a height sufficient to hold the storm water volume within the ditch. Both front slopes and back slopes shall be a maximum of 3 horizontal to 1 vertical.
  - a The ditch shall have a minimum grade sufficient to drain completely and prevent standing storm water. Ditches with a grade of less than 1% or greater than 6% shall be lined with concrete or an alternate lining approved by the County Engineer.
  - b A ditch shall be lined with an approved ditch lining material whenever the calculated velocity of the storm water exceeds that which may cause erosion.
- 5 Drainage Easements: Where a subdivision is traversed by a watercourse, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of such watercourse, and of such width and construction as will be adequate for the purpose.
- 6 Detention basins
  - a All basins shall be designed to pass or detain a 100-year rainfall event without overtopping the dam, causing damage to the basin, or surrounding property.
  - b The bottom of the detention basin shall have a minimum slope of 1% and shall be firm enough to be maintained by mechanical means.
  - c Outfall structures shall be designed to prevent erosion and clogging.
  - d Side slopes of detention basins shall not be steeper than 3 horizontal to 1 vertical unless constructed using a retaining wall.
  - e Basins shall be included within a drainage easement with sufficient area at the top of the slopes to gain access with equipment.
  - f A covenant shall be included on the final plat stating that basins shall be adequately maintained and shall be kept free of trees, shrubs and weeds by the residents of the subdivision, homeowner's association, or other entity.

### **Section 8.13. Construction Requirements**

Construction of all roads shall meet the following minimum requirements and conform to the Alabama Department of Transportation's "Standard Specifications for Highway Construction". Erosion control shall be used throughout construction and development. The developer shall be responsible for all erosion control in accordance with ADEM regulations and for securing any permits required by ADEM.

- 1 Notification of Work: It shall be the duty and responsibility of the developer or his designee to give written notice to the County Engineer, three working days prior to starting any new phase of construction or resuming work after a delay of more than five working days. This includes all phases of construction, clearing, grading, drainage, gutters, inlets, base, surfacing and any work that pertains to the street, road or development. **FAILURE TO NOTIFY AS SPECIFIED SHALL BE GROUNDS FOR NONACCEPTANCE.**
  
- 2 Inspection: Contractor shall be responsible for scheduling all inspection by the County Engineer or his designee including but not limited to all drainage structures, drainage pipe, sub-grade, base, and placement of pavement. Inspections will only be conducted during the business hours of the Engineer's office. Failure to have a portion of work inspected will result in **NONACCEPTANCE.**
  
- 3 Testing: All testing shall be conducted by an independent testing laboratory approved by the County Engineer. The testing laboratory shall have the proper equipment and personnel necessary to perform the said testing of the required improvements in accordance with the Alabama Department of Transportation specifications. The County Engineer shall determine which tests shall be scheduled and performed. The tests normally consist of, but not limited to:
  - a Soil Gradation;
  - b Optimum Moisture Content tests on embankment, subgrade and base material;
  - c Soil Compaction test on subgrade and base material;
  - d In-place asphalt density analysis;
  - e 28 day compressive strength of concrete;

Copies of all test reports are to be provided to the County Engineer before additional construction occurs. In the event problems exist that require remedial actions or design, the developer shall be required to submit revised engineering plans to the County Engineer before construction will be allowed to proceed.
  
- 4 Clearing and Grubbing: All roads shall be cleared and grubbed to their full right-of-way width. All areas shall be cleared of all vegetation, trees, stumps, large rocks and other objectionable or unsuitable material prior to grading or filling unless otherwise approved, in writing, by the County Engineer.
  
- 5 Slope Paving: Slope paving shall be required in ditches as determined necessary by the County Engineer. Other alternatives may be approved by the County Engineer.

- 6 Embankments: The County Engineer will have the right to approve all borrow sources; however this does not relieve the developer from full responsibility for the quality of material used. Roadway fill or embankment of earth material shall be placed in uniform layers, full width, and not exceeding eight inch thickness (loose measurement). Each layer shall be compacted so that a uniform specified density is obtained. Compaction tests shall be run at the frequency and location as directed by the County Engineer. Additional layers of fill shall not be added until directed by the County engineer. For all density requirements refer to Section 210 and Section 306 of the "Alabama Department of Transportation Standard Specifications for Highway Construction".
  
- 7 Subgrade: The subgrade shall be compacted and properly shaped prior to the placing of base materials. Developer shall submit a profile or verify the subgrade elevations before approval will be considered for placing any base materials. The top six inches of the roadbed shall be modified, with the work being performed under Section 230 Roadbed Processing, of the "Alabama Department of Transportation Standard Specifications for Highway Construction". It shall be full width of regular section and extend 18 inches outside of curb and gutter and/or valley gutter sections. The embankment or subgrade shall be inspected by proof-rolling, under the supervision of the County Engineer or his/her designee, with a fully loaded tandem axle dump truck to check for soft or yielding areas. Any unsuitable materials shall be removed and replaced with a suitable material compacted to density requirements in accordance with these regulations. Suitable material shall be determined by the County Engineer.
  
- 8 Base course shall meet the requirements for crushed aggregate as set forth in section 301 Type 825 A or B, plant mixed with water, according to the Alabama Department of Transportation Standard Specifications for Highway Construction. Base course shall have a minimum thickness of six inches compacted thickness, full width of regular section and shall extend twelve inches outside of curb sections or edge of pavement. The density requirements for compaction shall be in accordance with Section 306 of the Alabama Department of Transportation Standard Specifications for Highway Construction. Developer/Engineer may submit an alternate base design method for approval by the County Engineer. Design should be based on a proven and accepted engineering test or method.
  
- 9 Roadway Pavement: All roads and/or streets shall be paved and comply with Section 8.11 and the following:
  - a Prior to the placement of pavement, a bituminous treatment A (prime) shall be placed and inspected by the County Engineer or his/her designee.
  
  - b The minimum pavement width shall be not less than 20 feet on standard sections and 26 feet for curb sections. Type of curb to be used shall be approved by the County Engineer.
  
  - c Bituminous pavement requirements shall be 220 pounds per square yard (220 LBS/SY) of bituminous concrete plant mix, binder, 429, or 424, and 110 pounds per square yard (110 LBS/SY) of bituminous concrete plant mix, wearing surface, type 429, 424. The mix shall be an approved ALDOT mix design. A copy of the approved mix design shall be furnished to the County Engineer prior to placement. The paving contractor shall be required to furnish copies of the delivery tickets and promptly

repair any core holes required by testing. Wearing surface layer of asphalt is to be placed 12 months after approval of the final plat.

- d The placement of this bituminous pavement does not relieve the developer of meeting the current policy for acceptance of roads and streets by the Russell County Commission. Any amendments to these regulations will be on file at the County Engineer's Office.
- 10 Roadbed Width: The minimum roadbed width for curb sections shall be 34 feet and shall be 28 feet for standard sections.
- 11 Installation of Utilities: After grading is completed and approved by the County Engineer and before any roadbed processing of the subgrade is performed all of the underground utilities within the roadway prism shall be installed completely and approved by the County Engineer throughout the length of the street and across the section. Once pavement is placed, it shall not be open cut except with written permission of the County Engineer. Any utility desiring to cross the road shall go over the road or wet bore under the road. All water lines located under pavement shall be encased. All utilities shall be placed in the provided utility easements. All water and/or sewer lines placed are subject to approval by the appropriate water and/or sewer authority.
- a No underground cables, wires or fiber optics shall be placed within 3 feet of any water main, service line or sewer line.
  - b All public utilities shall be located on back portion of right-of-way and in no case a minimum 5 feet from the edge of pavement.
- 12 Topsoil and Grassing: When all construction is completed, all slopes and shoulders shall be covered with a sufficient amount of topsoil and shall have a stand of permanent grass, preferably Bermuda, to prevent undue erosion, either by sprigging, seeding, mulching, or sodding. The developer shall implement Best Management Practices to prevent erosion.
- 13 Driveways: Where a drainage ditch construction is allowed, the developer should refer to the geometric design in 0Developers shall install all driveways prior to final plat approval at locations and sizes as submitted to and approved by the County Engineer (A surety may be provided in lieu of installation of driveways provided the surety meets the requirements found in 0). Driveway side drains shall be a minimum of 20 feet long and a maximum of 40 feet long. All driveway pipes shall conform to 0
- 14 Concrete used for drainage structures, curbing, gutter, sidewalks and appurtenant structures shall have a minimum compressive strength of 3,000 pounds per square inch at 28 days. Bridge superstructures concrete shall have a minimum compressive strength of 4,000 pounds per square inch at 28 days.

**Section 8.14. Minimum Standards for Private Roads Maintained by the Owner**

Private roads may be built in a subdivision provided they are constructed according to these Regulations, approved by the Planning Commission, and have a statement printed on the final plat stating that the roads are private and are not subject to maintenance by Russell County.

## ARTICLE 9: WATER SYSTEM REQUIREMENTS

### **Section 9.1. General**

Where a public water main is within 1000 feet of the subdivision at its nearest point, the sub-divider shall connect with such water main provided adequate flows and/or pressure is suitable for said development. Where a public water main is not reasonably accessible as determined by the appropriate Water System, the sub-divider shall provide a water supply as required by the Health Department before lot is finalized by the Planning Commission.

### **Section 9.2. Existing Water Systems**

These Regulations apply to the water distribution systems belonging to the Ft. Mitchell Water System, Inc. and the Russell County Water Authority. The boundaries between these two systems are shown on the map at the end of this article. Additionally, the Hurtsboro Water Department provides some service immediately outside of its city limits. Hereinafter, the term System will be used to signify either the Hurtsboro Water and Sewer Board, Ft. Mitchell Water System Inc., or the Russell County Water Authority, as appropriate.

### **Section 9.3. Extensions of Existing Systems**

Any extension of the System into a subdivision must be approved by the System. All materials and installations must be in accordance with these requirements.

### **Section 9.4. Responsibility for Costs**

The sub-divider shall bear all costs of such extensions including fee for design, plans review and inspection as well as the costs of all taps, flush hydrants, piping and fittings.

### **Section 9.5. Procedure**

The following procedure shall be followed to secure approval to extend a system for any proposed subdivision:

A formal written request for water service shall be made to the System in writing. This request will be accompanied by an accurate plat showing a relationship to a government corner and a point on the existing water line.

Sub-divider's full intent shall be shown insofar as practical including future expansion and adjacent property under same ownership.

In the event the System feels the request is reasonable and practical to pursue further, the System will authorize the System's engineer and/or management to review the data and submit cost estimates of the design work involved and recommend procedure to meet the request in outline form.

Design: The Sub-divider may avail himself to the System's engineer or may use an outside engineering firm. If an outside firm is used, the engineer must acquaint himself with the tank overflow elevation, piping, flow, peak demands and hydraulics from the tank to the point of extension and including the extension.

The System management and/or the System's engineer must approve the design of an outside engineer and will present them to the Alabama Department of Environmental Management for approval.

Construction of the extension must be done by an experienced contractor who is qualified and licensed by the State of Alabama to perform construction of this type. The Contractor's name and credentials shall be submitted to the System for approval.

Construction may begin only after the System has notified the Owner of final approval by the System, ADEM and the Engineer's Office. The owner is required to give notice to the System of proposed construction schedules and such notice must be given no less than three working days prior to the date on which construction is to begin. Roads and ditches are to have been graded with lots and centerline of roads marked.

Inspection: The System or System's engineer will perform the inspection.

When construction is complete, the Owner will be required to subject the extension to pressure testing, sterilization and bacteriological testing in accordance with the specifications of the System and under the supervision of a representative of the System. **NO EXTENSION MAY BE MADE TO OR OPERATED FROM THE SYSTEM'S DISTRIBUTION LINES UNTIL A FINAL INSPECTION HAS BEEN MADE AND THE EXTENSION APPROVED BY THE SYSTEM, ADEM AND THE RUSSELL COUNTY ENGINEER'S OFFICE.**

Warranty: After final approval and tie-in the extension becomes the property of the System and the System will perform all needed maintenance and operation. The Owner of the subdivision shall reimburse the System for the cost of any required maintenance during the one year period immediately following the first day of usage.

Required permits by ALDOT must be submitted by the System for approval. All information / drawings needed for submittal must be provided to the System by the contractor. Approval of said submittal must be received by the System prior to any work being performed on any State Right-of-way.

Acceptance of the extension will not be granted until all of the above conditions have been met, including payment of all required fees and deposits, provision of As-built drawings to the System.

#### **Section 9.6. Installation Requirements**

Installation shall follow the requirements set forth by the appropriate Water System. These requirements can be found at the water system's office or attached to this document.

#### **Section 9.7. Water System Notes**

No underground cables, wires or fiber optics shall be placed within **3 feet** of any water main, service line or sewer line.

## ARTICLE 10: SANITARY SEWER SYSTEM REQUIREMENTS

### Section 10.1. Definitions

**10.1.1 Available Public Sewer** means a public or privately owned sanitary sewer provider is within 500 feet of property to be served, without crossing another property to make the new connection, or such other conditions of availability as are established by administrative rule. In cases of onsite conveyance or disposal system failure, sewer shall be deemed available if within 500 feet; State Health Department Laws and Regulations.

**10.1.2 Branch** is a public sewer service lateral.

**10.1.3 Common Private Sewer System (also called Party Sewer)** means that portion of a building sewer not owned by the City of Phenix City that serves more than one building with different ownerships and conveys sanitary sewage to a sewer service lateral, public sewer, private sewage disposal system, or other point of disposal. Common private sewers are found on private property and in private and public rights of way, including easements.

**10.1.4 Connection** means the connection of all sanitary waste and drainage disposal lines from all development on a property to the privately or publicly owned sewer system, and the disconnection and/or removal of all other waste disposal systems such as cesspools or septic systems.

**10.1.5 Development** means all improvements on a site, including buildings, other structures, parking and loading areas, landscaping paved or graveled areas, and areas devoted to exterior display. Development includes improved open areas such as plazas and walkways, but does not include natural geologic forms or unimproved land.

**10.1.6 Building Official** means the Russell County Building Official or designee.

**10.1.7 Immediately Available Public Sewer** means a public or private owned sanitary sewer provider system to which a property can connect without further extension of the sewer lines or within 500 feet of the structure to an existing sewer line.

**10.1.8 Nonconforming Sewer** means a private sanitary sewer that is:

- a. Located on public or private property that is not on the same property as the structure or structures being served by the sewer; and
- b. Not located within a recorded sewer easement or subject to a recorded covenant for easement regarding use of the sewer meeting the standards specified in administrative rules, or
- c. An onsite sewer system which has failed as determined by the Health Officer with the Russell County Health Department.

**10.1.9 Onsite Sewage Disposal System** means a cesspool or a septic tank or other treatment unit and/or effluent sewer and absorption improvement.

**10.1.10 Private Sewer Service Lateral** means a sewer pipe that:

- a. Has been designated as private by a developer's Engineer or has not been accepted as a public improvement by the County Engineer and/or sewer utility and
- b. Serves as a conveyance system for individual or common private sewer systems.

**10.1.11 Public Sewer** means all pipes, manholes, and other appurtenances:

- a. Constructed by a publicly or privately owned sewer service; or
- b. A sewer provider permitted under an agreement with Russell County Commission collecting and transporting sewage received from sewer service laterals and common sewer systems for treatment.

**Section 10.2. Sewer Connection Mandated**

Section 10.2.1 Applicability

Properties having development or being subdivided or with a failed onsite sewage disposal system that generates or may generate sanitary waste must decommission onsite sewage disposal systems and/or connect to the public sewer when:

- a. The development is not completely connected to a sanitary sewer system;
- b. A publicly or privately owned sewer treatment provider is immediately available as defined herein without the need for further sewer extension; and/or
- c. A sewer line has been provided to curb or property line
- d. The property's on site system has failed as determined by the Russell County Health Officer employed with the Russell County Health Department.

Section 10.2.2 Timing

Properties that meet these criteria must be connected to a public sewer within three (3) years of notice being sent to the property owner or legal title holder of the immediate availability of the public or privately owned sewer system, the requirement to connect, and the time limit for connection. Four additional notices of the connection requirement will be sent at least 360, 180, 90 and 30 days prior to the date of the connection deadline.

Section 10.2.3 Location

All connections shall be made along a route of service approved by the sewer system providing service.

10.2.4 Any Construction for which a building or other permit is required under The Russell County Subdivision Regulations shall connect to the public or privately owned sewer system prior to the issuance of a final Inspection report or Certificate of Occupancy by the authorized agency.

10.2.5 Proof of the sewer connection shall be by a Sewer Affidavit provided to the property owner, or development. A copy of said affidavit is attached hereto. The sufficiency or adequacy of any proof presented shall be solely the affidavit form provided by sewer provider.

10.2.6 One (1) year from notification of the requirement to connect, a property that has not connected becomes connection delinquent and is subject to proceedings to compel connection to the public or privately owned sewer system.

10.2.7 If property subject to the requirement imposed by this Section is sold and has less than 180 days remaining in one (1) year connection period referred to above is sold, the new owner may enter into an agreement with the sewer service to extend the time to connect to the public or privately owned sewer system for 180 days from the date of the sale of the property. In the event a new owner elects to enter into an agreement, said election shall constitute a waiver of any objection to connect. As used herein, the term sale includes every disposition or transfer

including the transfer of equitable title or legal title to real property, but excluding Real Estate Mortgages.

### **Section 10.3. Mandated Sewer Service Connection Charges**

**10.3.1** Property owners shall be charged the rate and fees in place at their time of payment or at the time of connection, whichever is sooner. Only one agreement per property may be entered into under the terms of this subsection. As used herein, the term sale includes every disposition or transfer including the transfer of equitable title or legal title to real property, but excluding Real Estate Mortgages.

### **Section 10.4. Converting Nonconforming Sanitary Sewer Connections**

#### **Section 10.4.1 Applicability**

Properties using nonconforming failed on-site sewer systems shall be required to convert to conforming sewer connections when public sewer is available within 500 feet of the property being served by the nonconforming system. All connections shall be made along a route of service approved by the County. Regardless of distance from available sewers, the sewer service may notify property owners along routes identified for sewer extension of the requirement that they participate in the Nonconforming Sewer Conversion Program as required by this resolution.

#### **Section 10.4.2 Exemption.**

The Building Inspector may exempt properties with nonconforming sewer connections from the requirement to convert or a conforming public sewer connection in the following circumstances: a. The Building Inspector determines that conversion of a nonconforming connection to a conforming connection would have detrimental effects on public health or safety.

#### **Section 10.4.3 Timing**

If this ordinance requires property owners to convert or abandon a on nonconforming sanitary sewer connection within 180 days of the date on the notice of sewer availability, then all sewer connections shall be made in conformance with Utility's and Russell County regulations and ordinances. The County Building Inspector and/or designee will provide written notice to all affected property owners at 180 days prior to the conversion deadline.

### **Section 10.5. Sanitary Sewer Conversion Charges**

**10.5.1** Property owners shall pay the sanitary sewer conversion charges at the time they request a permit for a new conforming sewer connection. A property owner shall pay or finance conversion charges and connection construction costs.

### **Section 10.6. Deferrals of Required Sewer Connections**

**10.6.1** Deferrals for making the actual connection to public sewers shall be limited to five (5) years and may not be renewed any deferral shall not transfer with the property.

**10.6.2** Property-related criteria: These criteria are based on hardship conditions related to the property and the work required to complete the sewer connection.

### **Section 10.7. Declaration of Nuisance**

**10.7.1** Any property not connected to a public sewer system as required by this resolution is hereby declared a nuisance and subject to abatement or correction as provided herein. The Russell County Building Official is authorized to take steps necessary to abate such a nuisance, including authority to order remediation or to expend funds to bring suit in law or

equity to abate the nuisance. In the latter case, the Russell County Building Inspector is further authorized to charge the responsible parties for all costs of the abatement effort. The sewer provider shall establish the procedures and forms to be used to notify property owners about sewer system availability and connection delinquencies. Costs of nuisance abatement may be assessed as a lien against property.

**Section 10.8. Abatement by Owner**

**10.8.1** The owner of a connection delinquent property shall have at least 30 days from the date of the Notice to Remove Nuisance to file documentation of the removal or abatement of the nuisance or to file a written request for an administrative review of the nuisance abatement requirement. Following notification of the administrative review and determination by the Russell County Building Inspector, any extension shall be determined by the Russell County Building Inspector but in no case shall be longer than 30 days and may not be renewed.

**Section 10.9. Connection Enforcement**

**10.9.1** The County Building Inspector and the Health Department shall attempt to resolve issues with affected property owners and sewer provider to the extent possible. The following enforcement steps shall be used:

**10.9.2 Administrative Review.** Affected property owners shall be offered the opportunity for administrative review with the applicable sewer provider representative to determine if agreement can be reached concerning the timing and actions to achieve a conforming connection to the public or privately owned sewer. If an affected property owner does not pursue an administrative review, the Russell County Building Department shall issue its final determination setting forth the requirements and deadline to connect and finance or pay for fees. Failure of the property owner to meet this deadline shall be deemed a violation of this resolution.

**10.9.3 Final determination.** The Russell County Building Department's along with the Health Department's final determination shall be the substantive decision for Russell County Code compliance proceedings. The building official or his designee shall submit information addressing the following facts:

- a. The subject property has *one* or more onsite structures with plumbing facilities that require sanitary waste disposal pursuant to this resolution.
- b. The subject property is not fully connected or has a nonconforming connection to the public or privately owned sewer system.
- c. The subject property has direct access via an intended route of service to a sewer lateral or other component of the sewer system abutting a property line or a permanent easement acquired for the benefit of the property, or is within 500 feet of same.
- d. The deadlines described in the sewer availability notice, notice of connection deferral and/or the Notice to Remove Nuisance have expired without full compliance with the sewer connection requirement.
- e. The property owner does not have a current sewer connection deferral.

**10.9.4** If the nuisance described in the notice has not been removed or information is not provided establishing that such nuisance does not exist, Russell County may apply for an order authorizing the County to abate the nuisance, consistent with the terms and requirements of this resolution. The Building Inspector shall have discretion to modify connection dates, required actions by property owners and types and timing of abatement activities consistent with this resolution only.

10.9.5 Any sewer provider shall maintain an accurate record of all expenses incurred, including an overhead charge of 26 percent, an administration fee for each occurrence sewer user charges, attorney fees, court costs and permit fees for which the sewer provider will have a lien on the property of the owner in accordance with this resolution. The sewer provider shall file said lien with the Probate Judge and shall enforce the same by filing suit on the lien with the appropriate court in Russell County, Alabama.

10.9.6 It shall be unlawful for any person to attempt to obstruct, impede, or interfere with any officer, employee, contractor, agent or authorized representative of Russell County whenever such officer, employee, contractor, agent, or authorized representative of Russell County is engaged in the work of connecting a property to the public or privately owned sewer or removing or abandoning an existing failed sewage disposal system under the authority of this resolution.

10.9.7 Neither Russell County nor any of its officers, employees, contractors, agents, including elected officials or authorized representatives shall be liable for any damage to the real property or any improvements or personal property due to the non-negligent enforcement or administration of this resolution.

10.9.8 Except as provided elsewhere in this Resolution or when the public welfare is endangered; at its discretion withhold any service that is provided by Russell County from the owner(s) (or the owner's agent) of connection delinquent property. This may include but is not limited to refusal to accept application for permits for development on property of the said owner(s) other than the connection delinquent property. Withholding of other services may continue until the connection delinquency has been corrected.

10.9.9 Russell County may seek, in any court of competent jurisdiction, a judgment against the person or property failing to connect to a sewer in accordance with the provisions of this resolution. In any such action, the measure of damages shall be the costs for abatement by the county administrative costs, permit fees, overhead costs, penalties, attorneys fees, court cost and connection charges as determined by the Russell County Building Inspector.

#### **Section 10.10. Resolution Actions Available to Property Owners**

10.10.1 Mandatory Sewer Connections Property owners subject to the Mandatory Sewer Connection Program may object to the Russell County Building Official. Property owners shall receive notice of deadlines and procedures for testifying before the Russell County Building Officials. An appeal from the Russell County Building Official's decision shall be made to an appeals committee appointed by the Russell County Planning Commission which shall schedule a hearing to hear evidence from both the property owners and Russell County on whether Russell County followed established procedures for requiring connection. The appeals committee decision is final. No property owner initiated appeals are allowed in the Mandatory Sewer Connection Program. Appeals, from the decision of the appeals committee is to the Circuit Court of Russell County, Alabama.

#### **Section 10.11. Severability**

10.11.1 The provisions of this Chapter are severable. If any word, definition, clause, section or provision of this resolution shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of this resolution shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein. In the event a definition is held to be invalid or is severed, the defined word or term shall be deemed to have the meaning given to that word or term under Alabama Law if Alabama Law contains such a definition. If there is not

established definition of the word or term under Alabama Law, the word or term shall have its ordinary dictionary meaning.

It is hereby declared to be the Russell County Commissions express legislative intent that this resolution would have been adopted had such an unconstitutional or otherwise invalid provision not been included herein.

# ARTICLE 11: SURETY FOR COMPLETION AND MAINTENANCE OF IMPROVEMENTS

## Section 11.1. Installation of Required Improvements

The sub-divider shall be responsible for the construction of all required improvements to the subdivision. This may be accomplished by either the complete and satisfactory installation of all required improvements by the developer at the time the Final Plat is to be submitted, or by the provision of a financial guarantee of performance.

## Section 11.2. Financial Guarantee of Performance

If a developer wishes to record a Final Plat prior to the completion of all required improvements, he/she may request that Planning Commission accept a financial guarantee of performance for the improvements not completed and approved; however, there must be sufficient infrastructure completed and approved by the County Engineer to support the development at the time of submittal.

All major subdivisions requiring street construction will require a performance bond for the placement of the final wearing surface layer of asphalt which is placed a minimum of 12 months after the initial binder layer of asphalt.

### Section 11.2.1 Subdivision Improvement Surety

The financial guarantee of performance by the sub-divider shall be in the form of an acceptable surety and shall meet the following requirements:

- 1 Acceptance of Surety. The surety must be reviewed by the County Engineer and accepted and approved by the Planning Commission.
- 2 Value of Surety. The surety shall be of an amount equal to 150 percent of the cost (as estimated by an independent source and approved by the County Engineer or his/her designee) of installing all required improvements, including but not limited to grading, paving of the streets, installation of storm water structures, installation of all required utilities, and fees encountered during execution of improvements. If a utility provider or other agency agrees to accept a surety for required improvements related to its improvements, the Planning Commission may reduce the amount of required surety by said amount.

### Section 11.2.2 Failure to Complete Work

If within 12 months after filing said surety, the sub-divider has not completed all necessary improvements or if in the opinion of the County Engineer or his/her designee said improvements have not been satisfactorily installed, a recommendation shall be prepared and submitted to the Planning Commission for approval to take such steps as may be necessary to require performance under the surety. If the construction of all required improvements is not completed within 12 months from the date of acceptance by the Planning Commission, the sub-divider/developer may request that an extension be granted. This must be done in writing before the end of the 12 month period. Before granting an extension, the Planning Commission may require that the amount of the surety be increased to reflect the current value of the required improvements.

### Section 11.2.3 Certification of Improvements

Upon completion of the improvements the applicant shall submit to the County Engineer a statement certifying the following:

- 1 That all required improvements are complete;

- 2 That these improvements are in compliance with the minimum standards specified by the Subdivision Regulation and the County Engineer for their construction; and
- 3 That the applicant knows of no defects from any cause in these improvements.

### **Section 11.3. Release of Guarantee**

Upon inspection and approval by the County Engineer, submittal of As-builts and Final Test Reports, and in accordance with these regulations, the financial guarantee of performance shall be released.

### **Section 11.4. Maintenance of Improvements**

For subdivision developments containing dedicated public rights-of-way, the Planning Commission will require a maintenance surety document to warrant the materials and workmanship of said required roadway and drainage improvements by the owner, developer and/or contractor for a period of 24 months.

### **Section 11.5. Submittal Requirements**

The owner shall submit the following items in order to initiate the maintenance and warranty period.

- 1 A certification of improvements statement;
- 2 Itemized engineer's cost estimate of improvements (prepared by licensed engineer). The engineer's cost estimate must have the concurrence of the County Engineer.
- 3 A maintenance surety document approved by the County Engineer.

In lieu of the above requirements, for developments with roadway and drainage improvement not dedicated as public, the Developer must submit a statement that all roads will be privately maintained; naming what person or entity will be responsible for maintenance.

### **Section 11.6. Maintenance Surety Document**

The maintenance surety document is a financial guarantee of materials and workmanship of the roadway and drainage improvements within the public rights-of-way, in an acceptable form, and shall without limitation meet the following requirements:

- 1 Acceptance of Maintenance Surety Document: The surety document must first be reviewed by the County and then accepted and approved by the Planning Commission;
- 2 Value of Maintenance Surety Document: The maintenance surety document shall be of an amount equal to or greater than 15 percent of the cost (Itemized Engineer's Cost Estimate) of the full construction of the required roadway and drainage improvements within the public rights-of-way, including but not limited to, grading, paving of the streets, and installation of storm water structures. When the County Engineer identifies potential problems, conditions or reasons for further protection of the County and public funds a greater amount may be required;
- 3 Term of Maintenance Surety Document: The maintenance surety document shall be valid for a minimum of twenty-four (24) months after all improvements are accepted and approved by the County Engineer.

This warranty period shall be automatically extended based on the following:

- 1 A notice is sent to the Owner with the time of the notice conflicting with, or the time of completion of the necessary repairs extending beyond, the final date of the twenty-four (24) month warranty period; OR
- 2 At least 70 percent of home construction is not completed in the subdivision.

In either event, said maintenance surety document shall remain in full effect until the County Engineer and/or the Russell County Commission releases said surety document following the fulfillment of all obligations to the Russell County Commission.

#### Section 11.6.1 Review and Acceptance Procedure

The Russell County Commission has adopted the road design and construction standards of these Subdivision Regulations as part of its acceptance policy for roads and by resolution has authorized the County Administrator to execute acceptance of roads based on this article.

After the maintenance surety document is received and accepted by the County Engineer, and the Final Plat has been approved by the Planning Commission, the County Engineer will sign the final plat and submit to the County Administrator the plat to be signed for the acceptance of the roadway and drainage improvements in the public rights-of-way shown on the plat of the subdivision, contingent upon the satisfactory completion of the warranty period.

If accepted, the Russell County Highway Department will begin maintaining the said roadways and drainage improvements within the public rights-of-way, upon completion of the warranty period.

These provisions are meant to be minimum guidelines for the Applicant, and are in no way meant to restrict the County from making other necessary requirements as the situation may warrant.

#### Section 11.6.2 Maintenance Procedure

If maintenance is necessary as determined by the County Engineer and it is determined that the necessary repairs are urgent, the repairs may be made by the Russell County Highway Department or other entity as determined by Russell County. The Owner will be sent an itemized invoice of the said repairs and then given the opportunity to immediately reimburse the Russell County Commission for the cost of said repairs. If the Owner does not reimburse the County Commission for repairs within 30 days from the date of the invoice, then the County Engineer will take the necessary actions to collect from the surety.

If maintenance is necessary as determined by the County Engineer and it is determined that the necessary repairs are not urgent, the Owner will be sent a notice and given 15 days from the date of receipt of such notice to make the necessary repairs. The Owner shall provide a one working day notice prior to making such repairs. If the said Owner does not make the necessary repairs then said repairs will be made by the Russell County Highway Department or other entity as determined by Russell County, and the Owner will be sent an itemized invoice of the repairs and then given the opportunity to immediately reimburse the County Commission for the cost of repairs. If the Owner does not reimburse the Russell County Commission for said repairs within 30 days from the date of the invoice, then the County Engineer will take the necessary actions to collect from the surety.

#### Section 11.6.3 Release of Guarantee

If the County Engineer considers the roadways and drainage improvements within the subject rights-of-way in good repair at the end of the 24 month warranty period, then the County Engineer will recommend release of the maintenance surety document.

## ARTICLE 12: VARIANCES AND WAIVERS

### Section 12.1. General

A variance may be granted in circumstances where the developer demonstrates that extraordinary hardships or practical difficulties may result from strict compliance with these regulations. The initial application for variance shall be made to the County Engineer as part of the application for proposed plat approval. The County Engineer shall review the application and the circumstances, and make a recommendation to the Russell County Commission as to whether or not the variance should be granted.

If the County Engineer recommends that the variance be granted, he or she may recommend that it be conditioned upon the developer complying with special requirements as set out in the variance approval. In determining whether to grant the variance, the County Engineer and the County Commission shall make findings based upon the evidence presented to it in each specific case that:

1. The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property;
2. The conditions for which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property;
3. The justification for the variance is not related to cost;
4. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner, as distinguished from a mere inconvenience, would result if the strict letter of these regulations are carried out;
5. The variance will not in any manner vary the provisions of other adopted policies and regulations of Russell County.

### Section 12.2. Conditions

In approving variances, the County Commission may require such conditions as will, in its judgment, secure substantially the objectives, standards or requirements of these regulations.

The County Commission shall not grant any variance within the floodway unless the developer submits a study prepared by a registered professional engineer certifying that no increase in the 100-year flood level would result from the proposed development.

## ARTICLE 13: ADMINISTRATIVE

### **Section 13.1. Amendments**

The Chairman and members of the Planning Commission may amend these regulations from time to time, but no amendment shall become effective unless it shall have been proposed by or shall have been submitted to the Planning Commission for review and recommendations. The Planning Commission shall have 90 days within which to submit its report. If the Planning Commission fails to submit a report within the 90- day period, it shall be deemed to have disapproved the amendment.

Before enacting an amendment to these Regulations, The Planning Commission, acting for the County, shall hold a public meeting thereon, at least 15 days' notice of the time and place, which shall be published in a newspaper deed as the official organ for legal notices in Russell County, Alabama.

### **Section 13.2. Appeals**

In the event a sub-divider desires to appeal any final decision made by the Planning Commission under these Subdivision regulations, said sub-divider shall first present his appeal to the Russell County Commission who shall hold a meeting on the decision of the Planning Commission. Any further appeals shall be as provided by law after the aforesaid procedure has been followed.

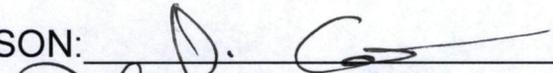
### **Section 13.3. Penalties**

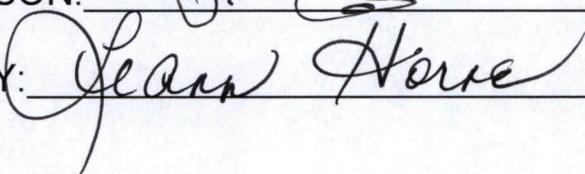
Any owner or developer violating any provision of these regulations shall be subject to a penalty of not more than \$100.00 per day / per lot until the violation is corrected provided that said violation is capable of being corrected.

In the event that the violation cannot be corrected, then the owner or developer shall be subject to a fine not less than \$250.00 nor more than \$1,000.00 per lot that has been sold, transferred, or offered for sale or lease to the public.

Additionally, the county shall have the right to enjoin the actions of an owner or developer who violates these regulations.

APPROVED THIS DAY July 5<sup>th</sup>, 2016  
BY THE RUSSELL COUNTY PLANNING COMMISSION.

CHAIR PERSON: 

SECRETARY: 

**APPENDIX A**

APPLICATION FOR SUBDIVISION REVIEW AND ACCEPTANCE

PERMIT TO DEVELOP

APPLICATION FOR  
SUBDIVISION REVIEW AND ACCEPTANCE

MISC 00027 PAGE 0161

THIS APPLICATION IS FOR <i>(check only one)</i> :	DATE
<input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Construction Plans <input type="checkbox"/> Drainage Plan <input type="checkbox"/> Final Plat	
NAME OF SUBDIVISION _____	
NAME OF DEVELOPER _____	
ADDRESS _____	
OWNER OF RECORD _____	
ADDRESS _____	
ENGINEER _____	PHONE _____
ADDRESS _____	
LAND SURVEYOR _____	PHONE _____
ADDRESS _____	
ATTORNEY _____	PHONE _____
ADDRESS _____	

Has this Plat or set of Plans been previously submitted?     Yes     No

If yes, have any changes been made since this plans was last submitted?     Yes     No

If so, briefly describe what changes have been made: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**APPLICATION APPROVAL**

WATER SYSTEM <input type="checkbox"/> Ft. Mitchell <input type="checkbox"/> Russell County <input type="checkbox"/> Hurtsboro	<input type="checkbox"/> Approved	<input type="checkbox"/> Disapproved
SIGNATURE _____	DATE _____	
HEALTH DEPARTMENT	<input type="checkbox"/> Approved	<input type="checkbox"/> Disapproved
SIGNATURE _____	DATE _____	
RUSSELL COUNTY ENGINEER	<input type="checkbox"/> Approved	<input type="checkbox"/> Disapproved
SIGNATURE _____	DATE _____	
COMMENTS: _____		
_____		
_____		
_____		
_____		

# PERMIT TO DEVELOP

RESTRICTED TO  
CLEARING, GRUBBING AND EROSION CONTROL, ONLY

THE STATE OF ALABAMA  
RUSSELL COUNTY

Permit No. \_\_\_\_\_ Issuance Date \_\_\_\_\_ Expiration Date \_\_\_\_\_

SUBDIVISION NAME \_\_\_\_\_

DEVELOPER \_\_\_\_\_ TYPE: (CHECK ONE)  Major  Minor

LOCATION \_\_\_\_\_

Plat Approval Date \_\_\_\_\_

No. Proposed Lots \_\_\_\_\_

Call \_\_\_\_\_ For Inspections \_\_\_\_\_

Authorized Signature \_\_\_\_\_

THIS CARD MUST BE ON-SITE AT ALL TIMES DURING ANY CONSTRUCTION ACTIVITY.

# PERMIT TO DEVELOP

## UNRESTRICTED

THE STATE OF ALABAMA  
RUSSELL COUNTY

Permit No. \_\_\_\_\_ Issuance Date \_\_\_\_\_ Expiration Date \_\_\_\_\_

SUBDIVISION NAME \_\_\_\_\_

DEVELOPER \_\_\_\_\_ TYPE: (CHECK ONE)  Major  Minor

LOCATION \_\_\_\_\_

Plat Approval Date \_\_\_\_\_

No. Proposed Lots \_\_\_\_\_

Call \_\_\_\_\_ For Inspections

Authorized Signature \_\_\_\_\_

**THIS CARD MUST BE ON-SITE AT ALL TIMES DURING ANY CONSTRUCTION ACTIVITY**

**ATTACHMENT**

PRELIMINARY PLAT CHECKLIST

FINAL PLAT CHECKLIST

WATER SYSTEM INSTALLATION GUIDE (Updated December 21, 2010)

SEWER REQUIREMENTS (Updated June, 2010)

ACCESS MANAGEMENT POLICY (ADOPTED MAY 11, 2011)

<b>PRELIMINARY PLAT CHECKLIST</b>	
<input type="checkbox"/>	Completed Application for Subdivision Review and Acceptance
<input type="checkbox"/>	Letter from E-911 coordinator verifying that the proposed subdivision name does not duplicate nor closely approximate the name of an existing subdivision in Russell County;
<input type="checkbox"/>	Name(s) and address(es) of Owner(s)/Developer(s) of record;
<input type="checkbox"/>	Proposed name of subdivision;
<input type="checkbox"/>	Site data, which includes:
<input type="checkbox"/>	Acreage in total tract,
<input type="checkbox"/>	Smallest lot size;
<input type="checkbox"/>	Total number of lots;
<input type="checkbox"/>	Township, Range and Section in which the subdivision is located;
<input type="checkbox"/>	Date, north arrow, graphic scale;
<input type="checkbox"/>	Vicinity map showing location of subdivision relative to major landmarks;
<input type="checkbox"/>	Name, address, phone number and seal of licensed land surveyor and/or engineer;
<input type="checkbox"/>	Boundaries of the tract of land being subdivided showing distances and bearings;
<input type="checkbox"/>	Section, half-section and quarter section lines;
<input type="checkbox"/>	Municipal corporate and planning jurisdiction limits;
<input type="checkbox"/>	The location, name, width of pavement and width of right-of-way of existing roads or roads on and adjacent to the tract being subdivided;
<input type="checkbox"/>	The location, name and width of right-of-way or easement of existing railroads, transmission lines and public utilities on and adjacent to the tract being subdivided;
<input type="checkbox"/>	The location of existing buildings, structures, rivers, streams, creeks and other water courses, drainage structures on and adjacent to the tract being subdivided;
<input type="checkbox"/>	Topographic information with ten-foot or lesser contour intervals sufficient to clearly show existing drainage patterns;
<input type="checkbox"/>	The location and size of existing water mains on, adjacent to or near the site as well as the location and/or distance to the flush hydrant nearest the tract of land being subdivided;
<input type="checkbox"/>	The location and size of any existing sanitary sewer lines, manholes and structures on and adjacent to the tract of land being subdivided;
<input type="checkbox"/>	Proposed location of storm water detention basin(s);
<input type="checkbox"/>	Wooded areas, marshes, swamps, wetlands and any other conditions affecting the site;
<input type="checkbox"/>	Any area within or adjacent to the proposed subdivision subject to inundation by the 100-year flood projections as shown on the Flood Insurance Rate Maps by the Federal Names and addresses of owners of land immediately adjoining the tract of land being subdivided, as the names appear in current records in the County Tax Assessor or
<input type="checkbox"/>	The names and locations of adjoining subdivisions and roads, with reference to recorded plats by record name;
<input type="checkbox"/>	Proposed layout of roads showing their names, width of right-of-way, width of pavement, centerline stationing;
<input type="checkbox"/>	Proposed location and width of easements, any land to be reserved or dedicated for public uses and any land to be used for purposes other than single-family dwellings;
<input type="checkbox"/>	Proposed lot lines with distances, block letters and lot numbers;
<input type="checkbox"/>	Proposed building setback lines;
<input type="checkbox"/>	Restrictive covenants.

<b>FINAL PLAT CHECKLIST</b>	
<input type="checkbox"/>	Final Plat Review Fee
<input type="checkbox"/>	Completed Application for Subdivision Review and Acceptance
<input type="checkbox"/>	Set of As-builts
<input type="checkbox"/>	Letter from E-911 coordinator verifying that the proposed subdivision name does not duplicate nor closely approximate the name of an existing subdivision in Russell County;
<input type="checkbox"/>	Refundable \$200 deposit
<input type="checkbox"/>	Performance and Maintenance bond if required
<input type="checkbox"/>	Breakdown of final quantities
<input type="checkbox"/>	Name(s) and address(es) of owner(s) of record;
<input type="checkbox"/>	Name of subdivision;
<input type="checkbox"/>	Site data, which includes:
<input type="checkbox"/>	Acreage in total tract;
<input type="checkbox"/>	Smallest lot size;
<input type="checkbox"/>	Total number of lots;
<input type="checkbox"/>	Township, Range and Section in which the subdivision is located;
<input type="checkbox"/>	Date, north arrow, graphic scale
<input type="checkbox"/>	Vicinity map showing location of subdivision relative to major landmarks;
<input type="checkbox"/>	Name, address, phone number and seal of licensed land surveyor and/or engineer;
<input type="checkbox"/>	Exact boundaries of the tract of land being subdivided, shown with bearings to the nearest second and distances to the nearest hundredth of foot, balanced and closed with an apparent error of closure not to exceed one in 10,000;
<input type="checkbox"/>	The location of the subdivision in relation to the U.S. government land survey by distances and bearing to a corner of a section, one-quarter section or a one-quarter of a one-quarter section. Local tie for horizontal and vertical control must be made to two or more existing monuments based upon NAD 83 horizontal and NGVD 29 vertical datum. At least two corners of the subdivision boundary shall be referenced to the State Plane Coordinate System. All survey data shall be according to the current Standards of Practice for Land surveying in the State of Alabama.
<input type="checkbox"/>	The location, name, width of pavement and width of right-of-way of existing roads on and adjacent to the tract being subdivided;
<input type="checkbox"/>	The location, name and width of right-of-way or easement of existing railroads, transmission lines and public utilities on and adjacent to the tract being subdivided;
<input type="checkbox"/>	The location of existing buildings, water courses, drainage structures and jurisdiction lines on and adjacent to the tract being subdivided;
<input type="checkbox"/>	Required notes;
<input type="checkbox"/>	Wooded areas, marshes, streams, lakes, swamps, land subject to flood and any other conditions affecting the site;
<input type="checkbox"/>	Any area within or adjacent to the proposed subdivision subject to inundation by the 100-year flood projections as shown on the Flood Insurance Rate Map by the Federal Emergency Management Agency;

<input type="checkbox"/>	Names and addresses of the owners of land immediately adjoining the tract of land being subdivided, as the names appear on current records of the Russell County Tax Assessor;
<input type="checkbox"/>	The names and locations of adjoining subdivisions and roads, with reference to recorded plats by record name;
<input type="checkbox"/>	Location and width of easements, any land to be reserved or dedicated for public uses and any land to be used for purposes other than single-family dwellings;
<input type="checkbox"/>	The bearing and length of every lot line;
<input type="checkbox"/>	Block letters and lot numbers;
<input type="checkbox"/>	Proposed minimum building setback lines;
<input type="checkbox"/>	Proposed parks, school sites, or other public open spaces, if any;
<input type="checkbox"/>	Restrictive covenants
<input type="checkbox"/>	Certification by Health Department
<input type="checkbox"/>	Certification by Water Authority
<input type="checkbox"/>	Flood Plain Certification
<input type="checkbox"/>	Certification note by County Engineer
<input type="checkbox"/>	Certification note for Planning Commission
<input type="checkbox"/>	Variance language if variance is granted
<input type="checkbox"/>	All easement locations and required notes

## WATER SYSTEM INSTALLATION GUIDE

1. All PVC pipe used shall be Class 250 PSI or better in accordance with AWWA requirements.
2. All ductile iron pipe used shall be cement coated pressure class 250 or better in accordance with AWWA requirements.
3. All fittings shall be ductile iron, mechanical joint, 250 PSI pressure rated.
4. Ductile iron pipe to be used in all ditch crossings.
5. Ductile iron pipe shall be used when crossing a sanitary sewer line where there is less than 12 inches of separation.
6. Flush hydrants shall be 4½" x 3 way
7. Flush hydrants shall be placed no more than 500 feet from the center of each lot or 1,000 feet between hydrants.
8. Anchor couplings on the back five feet of right-of-way.
9. Attach hydrant valve to anchor Tee or Hot Tap sleeve.
10. All valves and couplings must be restrained.
11. Brass saddles shall be used on service connections
12. Service lines under pavement shall be polyethylene tubing encased in 1 ½" PVC pipe.
13. All service lines to go under pavement shall to be bored.
14. Barrel locks shall be installed on all curb stops. (The subdivider shall provide a key to water utility.)
15. Meter Boxes shall be plastic with a metal reader lid.
16. The subdivider shall provide a meter, hand valve, backflow preventer and brass nipple to the water utility for installation on each lot.
17. Any open road crossing (mains) must meet or exceed County Highway Department specifications for compaction.
18. All road crossings (mains) require ductile iron or must be encased if PVC pipe is used.
19. Install all three way valves at intersections where two-way feed is available.
20. Depth of pipe: Pipe installation shall not have less than 30" or more than 36" of cover.
21. Width of trench shall not exceed 24".
22. Tracer wire being of a single strand 14 gauge or larger copper wire shall be laid continuously with water pipes. All splices shall be twisted solid. Sufficient length shall be left at each valve for connection of detection equipment.
23. Water mains shall be located within the back five feet (5') of the right-of-way or a minimum of 3' off pavement.

24. Spacing between buried utilities shall be a minimum of three feet (3').
25. Disinfection of installed lines must comply with the American Water Works Association guidelines.
26. Testing of line: Must be pressurized at 200 PSI for a period of no less than 2 hours and comply with American Water Works Association standards regarding pressure drop.
27. Bacterial samples must be taken by the water system serving the area at a cost of \$30 per sample.

## SANITARY SEWER SYSTEM REQUIREMENTS

### 1. General

When a subdivider / developer has plans for a development which will require sewer collection, possible treatment or disposal, the subdivider / developer shall contact both Russell County Health Department and the Planning Commission.

After preliminary evaluations have been made by these agencies, then direction will be given as to whether the Health Department or other Existing Sewer System will govern the development.

**Should the projected or estimated sewer flows from development plans extend beyond the limitations of Alabama Department of Public Health Guidelines for on-site sewage disposal for whatever reason, then the development shall comply with the System Guidelines for Sewer Service Collection and Treatment Options as detailed below.**

### 2. Existing Sanitary Sewer Systems

These regulations apply to the entire county belonging to the Russell County Sewer Authority outside of the designated sewer service areas of Phenix City and Hurtsboro. The boundaries between these areas are shown on a map in the Russell County Subdivision Regulations. Hereinafter, the term System will be used to signify the Russell County Sewer Authority.

### 3. Extensions of Sewer Systems

Any new sewer system or extension of existing system into a subdivision or next phase of a subdivision must be approved by the System. All materials and installation must be in accordance with the requirements.

### 4. Responsibility of Costs

The subdivider / developer shall bear all costs of such extensions including fees for design, permitting, plan reviews and inspection as well as the costs of all tanks, pumps piping, cleanouts, treatment facilities and related appurtenances.

### 5. Procedure

The procedure outlined below shall be followed to secure approval to construct or extend a sewer collection system and treatment facility or disposal area for any proposed subdivision or development.

A formal written request for sewer service shall be made to the System in writing. This request will be accompanied by an accurate plat showing a relationship to a government corner and a point on the existing sewer collection system if applicable.

Subdivider's full intent shall be shown insofar as practical including future phased expansions and adjacent property under same ownership.

In the event the System feels the request is reasonable and practical to pursue further, the System will authorize the System's Engineer and / or Management to review the data, conduct a feasibility study and options, and submit costs estimates of the design work involved and recommend procedure to meet the request in outline form.

- a. The developer shall pay the System a feasibility study fee of \$100.00 per lot or \$150.00 per acre for commercial. All phased developments must be planned and accounted for in this initial review. The feasibility fee will include evaluations of the sewer collection and disposal / treatment options. The study will include preliminary soils / percolation testing to determine whether on-site sewage disposal is a viable option. Also Alabama Department of Environmental Management, ADEM, permitted discharged to public waters will be evaluated if feasible.

The study will include preliminary cost estimates for design, permitting and construction of all viable options available to the developer that the System will accept for O/M.

- b. Design: The Subdivider may avail himself to the System's engineer or may use an outside System approved engineering firm. If an outside firm is used, the engineer must acquaint himself with the System's approved design and construction / installation requirements.
- c. The System management and / or the System's engineer must approve the design of and outside engineer and will present them to the ADEM for approval and permits as required.
- d. Construction of the extension must be done by an experienced contractor who is qualified and licensed by the State of Alabama to perform construction of this type. The Contractor's name and credentials shall be submitted to the System for approval.
- e. Construction may begin only after the System has notified the Owner of final approval by the System, ADEM, ALDOT and the County Engineering Department. The owner is required to give notice to the System of proposed construction schedules and such notice must be given no less than three working days prior to the date on which construction is to begin. Roads and ditches are to have been graded with lots and centerline of roads marked. No utility work shall be performed after System normal work hours.
- f. Inspection: The System or System's engineer will perform the inspection.

When construction is complete, the Owner will be required to subject the extension to testing, in accordance with the specifications of the System and under the supervision of a representative of the System. **NO EXTENSION MAY BE MADE TO OR OPERATED FROM THE SYSTEM'S COLLECTION LINES UNTIL A FINAL INSPECTION HAS BEEN MADE AND THE EXTENSION APPROVED BY THE SYSTEM, ADEM AND THE RUSSELL COUNTY ENGINEERING DEPARTMENT.**

6. Warranty

After final approval and tie-in the extension becomes the property of the System and the System will perform all needed maintenance and operation. The Owner of the subdivision shall reimburse the System for the cost of any required maintenance during the one (1) year period immediately following the date of acceptance of the extension installation.

Required permits by the Alabama Department of Transportation or the Russell County Highway Department must be submitted by the System for approval. All information / drawings needed for submittal must be provided to the System by the contractor. Approval of said submittal must be received by the System prior to any work being performed on any State or County Right of Way.

Acceptance of the extension will not be granted until all of the above conditions have been met, including payment of all required fees and deposits, provision of As-built drawings to the System.

7. Installation Requirements

Installation shall include the following requirements:

- a. Centralized / Conventional Gravity Collection System  
Standard Sanitary Sewer Specs
- b. Decentralized (STEP) Collection System  
Septic Tanks – Xerxes Corp. or equal  
Effluent Pumps - Orenco Pro STEP or equal  
Piping – HDPE PVC  
Valves –  
Treatment Systems – Orenco System AdvanTex AX100 or equal  
Drip Emitters – Geoflow or equal  
Etc.

# RUSSELL COUNTY ACCESS MANAGEMENT POLICY

Russell County, Alabama

Adopted by Russell County Commission  
May 11, 2011

The Russell County Commission adopts the following access management policy. This policy is deemed necessary in order to accomplish the following objectives:

1. Russell County Commission, acting through its County Engineer, is charged with the responsibility to protect the traveling public in Russell County and maintain the public right-of-ways therein; The County Commission is also charged to protect the general welfare, health, and safety of its citizens and the traveling public using the public highways, roads, rights-of-ways and highway system within Russell County; and
2. It is the responsibility of the Russell County Commission to ensure proper design, construction, maintenance, and operation of its streets, roads, utilities, driveways, highways, bridges, points of access thereto, and other associated user activities connecting to, using, and/or occurring within these public rights-of-ways; and
3. The Russell County Commission has and does hereby find that in order to protect and provide for the general welfare and safety of the traveling public and to protect the public highway and road system within Russell County, it is necessary to provide criteria and conditions which must be met by any person, firm, corporation, or entity seeking to access or connect roads, streets, highways, or any part thereof to any Russell County public road, highway, highway system, to any part thereof: and to prohibit any access or connection to the Russell County highways, streets, roads or the highway system, which do not meet with and conform to proper engineering design and which do not have approval of the Russell County Engineer or his designee:

The following guidelines are hereby set forth and adopted by the Russell County Commission to serve as the Russell County Access Management policy. This policy shall be administered and interpreted by the Russell County Engineer or his/her designee. The policy is as follows:

## **1.2. General**

1. No person, firm, corporation, or other entity, public or private, shall construct or cause to be constructed or allow any driveway, highway, road, alley, street, other roadway, or any aspect or part thereof, to connect to or otherwise access or allow motor vehicle traffic on or onto any part of the Russell County public road system including the Russell County rights-of-ways, without first applying for and obtaining an access permit from the Russell County Commission, acting by and through the Russell County Engineer or his designee.
2. All access and access permits to Russell County maintained roads shall be subject to the approval by the Russell County Engineer. No access permit will be granted or approved which does not properly address drainage, sight distance, and other safety criteria including but not limited to proper lane widths, guardrail, front and back slopes, right-of-way encroachments, or pavement buildup to support anticipated future traffic on the public highway and highway system at affected points, as established and determined to be appropriate by the Russell County Engineer.

3. Compliance with all requirements of the access permit is the responsibility of the property owner, developer, or entity applying for the access. Construction and material requirements shall be consistent with the Russell County Subdivision Regulations and the County Road Design Policy. Driveways for individual residences as well as multi-family and commercial developments must comply with these access procedures and requirements.
4. The provisions hereof shall become effective immediately upon the adoption by the Russell County Commission, and all municipalities in Russell County shall be advised of the adoption hereof and be requested to withhold any and all permits for developments accessing Russell County public highways and roads until such Access Permits have been adopted and issued by Russell County acting by and through the Russell County Engineer or other designee of the Russell County Commission.
5. The requirements hereof shall be cumulative to any other legally imposed conditions or requirements provided by law or by Russell County and/or the Russell County Engineer.
6. The provisions of this resolution are severable. If any portion hereof shall be declared invalid by any court of competent jurisdiction, such declaration shall not affect the remaining portions hereof.

### **1.3. Improvements**

1. All subdivisions of real property and all developments, along, adjacent to, or accessing existing paved or unpaved Russell County public roads, and any person or entity seeking to connect a highway, street, alley, road, or other public or private way, thereto, shall be required to improve and upgrade such existing public road and connecting roads, and associated drainage facilities, to the extent required by the Russell County Engineer. These improvements may include, but are not limited to, the construction of additional lanes to increase capacity, turn lanes, acceleration and/or deceleration lanes, traffic signals, guardrail, clear zones, or other improvements deemed necessary by the Russell County Engineer or his designee. The existing road system may be required to be upgraded in order to provide for future anticipated traffic demand and/or traffic volume increases. At a minimum all subdivisions and developments shall comply with the requirements described in this policy based on the functional classification of the roadway (as shown on ALDOT Highway Functional Classification Maps and includes major collectors, arterials, etc.)
2. Residential or commercial lots fronting on a major or minor collector with an average daily traffic count (ADT) of 1,000 or more shall be limited to one (1) access point and shall be subject to stopping sight distance requirements based on the design speed or posted speed of the road (whichever is greater) and site conditions. These lot access points shall also be required to be spaced at minimum intervals equal to the stopping sight distance required above with a tolerance of  $\pm 5$  mph for spacing.

3. Residential or commercial lots fronting on a major or minor collector with an ADT of 1,000 or more and which are proposed denser than the requirements in 1.3.2 shall be limited to one (1) access point for subdivisions with two (2) lots or less and/ or limited to two (2) access points for subdivisions with three (3) or more lots. These access points must still comply with all sight distance requirements and all roads/ drives shall be constructed in accordance with the Russell County Subdivision Regulations.
4. Residential or commercial lots on routes classified above a major collector (i.e. arterials) shall have limited access through service roads or equivalents.
5. Existing lots (as of the dates of the adoption of this policy shall be grandfathered or exempt from spacing requirement of 1.3.2 provided the lot configuration does not change. If a subdivision of the existing lot occurs or is proposed, the new lot (s) must meet the criteria set out herein.

**1.4. Turn Lane Requirements**

Turn lane requirements shall apply to residential and commercial developments. The guidelines for these turn lanes are as follows:

Turn lanes shall have a minimum width of 12 feet. Right lanes constructed with no center or left turn must be constructed with a minimum of 6 feet additional width to accommodate a future need for a center turn lane.

Turn Lane Requirements	Right Turn Lane Required*	Left Turn Lane Required
<b>Local Road</b>		
Development generating < 500 vpd	NO	NO
Development generating > 500 vpd	YES	NO
<b>Minor Collector</b>		
Residential Development generating < 250 vpd	NO	NO
250 vpd < Development generating < 500 vpd	YES	NO
Development generating > 500 vpd	YES	YES
<b>Major Collector or higher</b>		
Residential Development generating < 250 vpd	NO	NO
Commercial Development generating < 250 vpd	YES	NO
Development generating > 250 vpd	YES	YES

See driveway location requirements in 1.3 which applies to spacing & locations.

\*If in the opinion of the Russell County Engineer a left turn lane serves a more direct function, a left turn lane may be required or allowed in lieu of a right turn lane.

### 1.5. Drainage

Existing drainage structures including culverts, bridges, and ditches, may be required to be upgraded or replaced as determined by the Russell County Engineer.

### 1.6. Utilities

Any utility installation that is required to serve the subdivision or development that must be relocated as a result of the required roadway or drainage improvement is the responsibility of the owner or developer thereof. Utility installation or relocation must be performed in accordance with the requirements of the Russell County Engineer. All costs associated with the installation or relocation of utilities must be borne by the developer or owner.

### 1.7. Right-of-Way

Additional right-of-way may be required by Russell County in order to be able to properly construct the required roadway and drainage improvements or utilities. The developer, traffic generator, or applicant for an access permit is not necessarily entitled to exclusive use of any excess capacity of the existing roadway or any right-of-way that may be available and suitable for construction or any right-of-way in excess of that which is necessary to construct improvements required by the Russell County Engineer. The developer, owner, or applicant for an access permit is responsible for all costs associated with acquiring additional right-of-way.

### 1.8. Design and Construction

1. Design and construction plans which show all of the "proposed access and improvements must be submitted to the Russell County Engineer for review and approval. All such plans shall bear the signature and seal of a professional engineer licensed to practice in the State of Alabama.
2. Prior to approval, an estimate of all costs of the proposed improvements shall be submitted by the applicant to the Russell County Highway Department for review and approval. Upon approval by the Russell County Engineer, a bond in form and substance as approved by the Russell County Commission, with an acceptable surety, in the amount not less than 150% of the approved cost, must be made and posted by the access permit applicant with the Russell County Highway Department to assure proper and timely completion of the improvements specified. Construction of any public improvement or any construction in the right-of-way must not commence until written approval has been granted by the Russell County Engineer. Construction notification and inspection requirements shall be in accordance and consistent with the Russell County Subdivision Regulations.

3. If construction is not substantially commenced within one (1) year from the date of the issuance of an access permit, or if commenced applicant fails to continuously and satisfactorily work toward completion of the project according to the approved construction plans, the application and approval thereof will be void and application for an access permit must be resubmitted. Any resubmitted application for an access permit and approval or rejection thereof would take into consideration any additional improvements or change in construction or design based on conditions which the Russell County Engineer deems necessary.
4. No building permits or development permits will be issued by Russell County without access approval from the Russell County Highway Department in cases where the driveway or roadway providing ingress and egress accesses or connects to a Russell County maintained road.
5. Regardless of any provisions contained herein to the contrary, an individual seeking access for the purpose of ingress and egress to only one (1) single family residence shall be required to obtain an access permit to be issued by the Russell County Engineer allowing same, but shall not be required to present engineering studies and detailed construction plans unless the Russell County Engineer determines that such is necessary due to particular safety, engineering, or other concerns associated with that specific point of intended access.
6. In the event any person or entity shall gain, establish, allow access to or otherwise connect or allow connection of any public or private highway, street, alley or road or other public or private way / facility to any part of the Russell County maintained road system without first obtaining an access permit as herein provided, and without the express written permission of the Russell County Engineer shall be in violation of this policy.. The Russell County Engineer, acting on behalf of the Russell County Commission, shall have the right to place impassable barricades between the traveled portion of the county road or right-of-way and the point of unpermitted access, thus preventing entry onto the Russell County Highway System and ingress and egress thereto. The Russell County Engineer, acting on behalf of the Russell County Commission, shall also have the right to remove items placed on the right-of-way that are in violation of this policy. The Russell County Commission shall have the right to pursue damages and/or reimbursement of costs incurred due to violations to this policy.

#### **1.9. Appeal**

In the event any person or entity desires to appeal any decision made by the Russell County Engineer under this policy, said person or entity shall submit their appeal in writing within 30 days to the Russell County Commission for consideration at a regularly scheduled County Commission meeting. The appeal shall include justification and any supporting data why the request should be granted.