

ORDINANCE 05-291

AN ORDINANCE OF THE CITY OF MASON, TEXAS REGULATING THE SUBDIVISION OF LAND IN THE CITY; DEFINING PERTINENT TERMS; ESTABLISHING REQUIREMENTS FOR ACCEPTANCE OF PLATS FOR FILING WITH THE COUNTY CLERK; SETTING FORTH MINIMUM STANDARDS FOR CONSTRUCTION OF STREETS, UTILITIES, AND THE PLACEMENT OF STREET LIGHTS AND FIRE HYDRANTS, AND REQUIRING A BOND AS GUARANTY OF CONFORMITY WITH SUCH STANDARDS; REQUIRING INSPECTONS; REQUIRING TESTING OF MATERIALS FOR STREET CONSTRUCTION; STATING POLICY IN MATTER OF ACCEPTANCE OF THE SUBDIVISION COMPONENTS; EXTENDING THIS ORDINANCE TO THE CITY'S EXTRA-TERRITORIAL JURISDICTION; DELINEATING FEES ASSOCIATED WITH THE REVIEW AND DEVELOPMENT OF A SUBDIVISION; PROVIDING FOR PENALTIES NOT TO EXCEED \$500.00 FOR THE VIOLATION OF THIS ORDINANCE AND REPEALING ANY ORDINANCES IN CONFLICT WITH THIS ORDINANCE.

WHEREAS, the City of Mason wishes to provide for a proper and orderly means of establishing subdivisions,

***NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MASON,
TEXAS:***

SECTION 1 (of 10)

TITLE, PURPOSE AND SCOPE

1.1 TITLE

This ordinance shall be known as the City of Mason Subdivision Ordinance and may be cited as such.

1.2 PURPOSE

These regulations have been prepared in general to aid in the orderly development of property within the city limits and to provide standards which will lead to a desirable environment. Specifically they have been prepared for the following purposes:

- 1.2a To furnish the developer with guidance and assistance in the expedient preparation and approval of a plat.
- 1.2b To protect the citizens of the City and the potential buyer(s) by insuring

minimum standards in a subdivision where a home might be purchased.

1.2c To provide for the welfare of the public by controlling the location and design of intersections, drainage systems, fire hydrants, street lights and other features which promote safety.

1.2d To prevent the City from being burdened with substandard streets and/or substandard utility systems in the future.

1.3 SCOPE

This ordinance shall apply to all subdivisions as defined in section 8.18 of this ordinance.

SECTION 2 (OF 10) ADMINISTRATION AND ENFORCEMENT

2.1 COMPLIANCE REQUIRED

No person shall create a subdivision of land either by sale, or lease, or otherwise, within the city limits without complying with the provisions of this ordinance. All plats and subdivisions of any such land shall conform to the rules and regulations set forth. City utilities shall not be provided to any property subdivided in violation of this ordinance until after such violation is corrected.

2.2 PRE-APPLICATION CONFERENCE

2.2a A pre-application conference shall be required for all subdivisions.

2.2a1 The owner or agent shall provide a sketch of the proposed layout showing general street patterns and lot configurations at which time the Building Official shall review the layout for compliance with the general subdivision requirements and procedures.

2.2a2 The Building Official shall determine whether or not the proposed subdivision qualifies for consideration as a minor plat.

2.2a3 If water or sewer mains need to be extended to serve the subdivision the developer/owner and City Administrator shall enter into negotiations, subject to the approval of the City Commission, to determine who will install the mains. If the City is to install them, an estimate will be prepared and submitted to the developer/owner. Where electrical lines in excess of the lengths allowed for in the fee schedule are required an estimate for the additional line construction shall also be provided.

- 2.2b The pre-application conference shall be for informational purposes and shall not be construed as a formal approval or commitment.

2.3 MINOR PLAT APPROVAL

A plat meeting the definition of a minor plat in section 8.10 of this ordinance may be processed in one step and approved administratively, thereby combining the preliminary plat and final plat requirements and, at the discretion of the Building Official, eliminating the requirement of being forwarded to the Planning and Zoning Commission for review and approval.

- 2.3a An application for a minor plat shall be submitted to the Building Official consisting of six (6) copies of the minor plat drawn on 8 1/2" x 14" paper at a scale of one (1) inch to one hundred (100) feet or larger if necessary and shall include the following:

- 2.3a1 The proposed subdivision's name and location, the name and address of the owner(s), and the name of the plat's designer.
- 2.3a2 The date, approximate north arrow, base of bearing and graphic scale.
- 2.3a3 A site location map.
- 2.3a4 The location of improvements, existing property lines, streets, buildings, watercourses, sewers, bridges, culverts, drain pipes, water mains, electric transmission lines and appurtenances, wells, visible or known easements, the present and/or proposed zoning classification and for each adjoining unplatted parcel, the deed reference and name of the owner of record or, for each adjoining platted lot, the subdivision name and lot and block reference.
- 2.3a5 Locations of proposed right-of-ways, easements, lot lines, building setback lines, boundary lines and utilities.
- 2.3a6 The total acreage to be subdivided. Projects developed in phases should indicate each phase on the plat.
- 2.3a7 Lot sizes in acres or square feet for those lots smaller than one acre.
- 2.3a8 A metes and bounds description of the lot, tract, or parcel of land to be subdivided.
- 2.3a9 The boundary of any 100 year floodplain lying within the subdivision and any other information required by the City of Mason Floodplain Ordinance.
- 2.3a10 A Surveyor's Certificate stating accuracy of survey and actually performed on the ground that meets the minimum standards set forth by the Texas Board of Professional Surveyors.
- 2.3a11 An Owner's Certificate establishing the applicant's relationship to the subject

property and establishing that it is intended to subdivide the property essentially as indicated in the plat documents.

2.3a12 A Building Official's certificate.

2.3a13 A Recording Certificate

- 2.3b The Building Official shall review the minor plat application to insure compliance with the requirements of this ordinance, the City's current Zoning Ordinance and the City's Floodplain Ordinance. The Building Official may submit the minor plat application to other City departments and/or other agencies for review and comment, as he deems necessary. Within ten (10) working days after submittal, the Building Official shall either approve or deny the application. Should the application be denied, a written explanation of the basis for denial shall be submitted to the applicant.
- 2.3c An applicant may submit a written request appealing the decision of the Building Official. Within 45 days of receipt of the request, the City Commission shall act on the appeal.
- 2.3d Upon approval, the minor plat shall be filed with the County Clerk's Office in the deed records. No subdivision improvements shall be made until the minor plat is approved and duly filed.

2.4 PRELIMINARY PLAT APPROVAL

- 2.4a A preliminary plat for a subdivision not qualifying as a minor plat shall be submitted to the Building Official consisting of six (6) copies of the plat drawn on 18" x 24" paper at a scale of one (1) inch to one hundred (100) feet or larger if necessary, one set of mylars and one digital file in a format specified by the Building Official and shall include the following:
- 2.4a1 All of the information required for a minor plat in sub-sections 2.3a1 through 2.3a12.
- 2.4a2 Certificate of dedication for all streets, parks, and open spaces to be dedicated to the Public for its use and convenience.
- 2.4a3 A drainage plan accompanied by a topographical drawing at the same scale as the preliminary plan, showing the location, type, and size of all required drainage structures, and shall indicate the route of proposed drainage. Where a lot is located adjacent to a major drainage course or overflow channel, such that a part or all of the lot lies within the regulatory 100-year flood boundary, or where building sites are proposed to be located within the proposed regulatory 100-year flood boundary, the drainage plan shall show proposed building sites and elevations required to put finish floor a minimum of one foot (1 ft,) above the

100-year flood level of drainage course or overflow channel.

- 2.4a4 Plans and specifications for the subdivision's water, wastewater, fire hydrant, street lighting and electrical systems sealed by an engineer. A statement identifying the entity(s) supplying utilities to the subdivision shall accompany the drawings. Where applicable, the plans will include a proposed connection point to existing City utilities and will provide an analysis demonstrating the existing lines' capacity to serve the additional load.
- 2.4a5 An Engineer's Certificate.
- 2.4a6 Notation of any unexpired oil, gas or mineral leases.
- 2.4a7 Metes and bounds designation of areas of streets, parks and open spaces.
- 2.4a8 Sufficient dimensions to define each parcel or lot.
- 2.4b The Building Official shall review the preliminary plat application to insure compliance with the requirements of this ordinance, the City's Planning and Zoning Ordinance and the City's Floodplain Ordinance. and shall submit it to the Planning and Zoning Commission and City Administrator and other City officials as he deems necessary for review and comment.
- 2.4c Within forty-five (45) days of receipt of the preliminary plat, the Building Official shall forward his recommendations along with those of the Planning and Zoning Commission and the City Administrator to the applicant for review, comment and/or corrective action.
- 2.4d At the request of the applicant, the Building Official shall submit the preliminary plat with any modifications along with his recommendations and the recommendations of the Planning and Zoning Commission and City Administrator to the City Commission for approval within forty five (45) days of such request at a regularly scheduled City Commission meeting.
- 2.4e The preliminary plat must be approved by the City Commission before any work is begun in a subdivision.
- 2.4f The City Commission's approval of a preliminary plat shall expire one (1) year after the date of approval unless a final plat is submitted for all or part of the area covered by the preliminary plat. The City Commission may grant a six month extension of time for the submittal of a final plat, provided the subdivider, showing good cause, requests such extension in writing prior to the one (1) year expiration date.

2.5 FINAL PLAT APPROVAL

- 2.5a A final plat shall be submitted to the Building Official consisting of six (6) copies of the plat drawn on 18" x 24" paper at a scale of one (1) inch to one hundred (100) feet or

larger if necessary and one set of mylars and shall include the following:

- 2.5a1 All of the information required for a preliminary plat in sub-sections 2.4a1 through 2.4a10.
- 2.5a2 Any changes to the preliminary plat required by the City Commission during the approval process.
- 2.5a3 Certification of approval by the Planning and Zoning Commission of the City.
- 2.5a4 Certificate of acceptance for filing to be executed by order of the City Commission.
- 2.5b The Building Official shall submit the final plat to the Planning and Zoning Commission for review, approval and certification within forty-five (45) days.
- 2.5c The Building Official shall submit the final plat to the City Commission for review, approval and certification within forty-five (45) days.
- 2.5d Any changes or alterations to the final plat must be approved by the City Commission.

2.6 FINAL PLAT FILING REQUIREMENT

After the final plat has been approved, the applicant shall file it with the Mason County Clerk's office.

2.7 BOND REQUIREMENT

- 2.7a Should the developer begin selling lots prior to the City's final acceptance of the improvements described on the final plat, the application for approval of the final plat shall be accompanied by a bond or other surety acceptable to the City Commission in an amount not less than the estimated or contract cost of the proposed work.
- 2.7b This surety is to guarantee that:
 - 2.7b1 The streets, utilities and other facilities to become the responsibility of the City will be completed in accordance with the requirements set forth herein within one (1) calendar year after the submittal of the bond.
 - 2.7b2 The systems are functional and any defects or variations from the requirements of this ordinance that become apparent during construction or prior to final acceptance of the subdivision by the City shall be remedied to the satisfaction of the Building Official or the City Commission.
- 2.7c Should there be any deficiency or variance from the requirements herein or should the work not be completed within the stated time, the City will notify the developer of such departure by certified mail. Should the condition not be corrected within thirty (30) days after the notice is mailed the City may declare the surety forfeited and order construction operations suspended. The City reserves the right to complete the work

by means most advantageous to its organization and citizens, utilizing such portion of the surety as may be necessary to effect such completion.

- 2.7d Provided no action is pending under section 2.7c above, one year following tentative acceptance of the subdivision as provided in 2.10a below the City shall release the surety to the developer.

2.8 INSPECTIONS

It shall be the responsibility of the owner/developer to schedule all required inspections.

- 2.8a Streets. Streets proposed and under construction will be inspected by the City Building Official, or an authorized agent, at the following stages in development:

2.8a.1 On receipt of formal notice that subdivision of lands is proposed an inspection of the site will be ordered, at which time, if sufficient data be available, the routing and classification, (Primary or Secondary), of streets will be established.

2.8a.2 When right-of-way has been cleared for grading, at which time location and size of drainage structures will be reviewed and any special grading section established.

2.8a.3 When grading is complete and finished for receipt of base.

2.8a.4 During placement of base material when the material being delivered will be sampled and tested for conformity with quality and grading requirements.

2.8a.5 After base has been completed and finished for prime coat.

2.8a.6 When prime coat has cured and before placement of the final surface.

2.8a.7 Such other inspections during the progress of the work as might be considered necessary by the Building Official due to unforeseen conditions.

2.8a.8 A final in depth inspection of the completed work as prerequisite to recommendation for tentative acceptance of the work.

2.8a.9 Interim maintenance and condition inspections during a period of one year following tentative acceptance of the work.

2.8b Water and wastewater system installations shall be inspected by the City Plumbing Inspector in accordance with the City of Mason Plumbing Code.

2.8c Electrical system installations shall be inspected by the City Electrical Inspector in accordance with the City of Mason Electrical Code.

2.9 STREET CONSTRUCTION TESTING

2.9a PRELIMINARY TESTS: Material proposed for use as base material and for aggregates for surface treatment shall be tested for conformity with specification requirements prior to delivery to the project. Such tests shall be performed and reported by an approved

commercial laboratory, a Registered Professional Engineer or a competent laboratory technician. Materials to be tested shall be sampled by the developer or his contractor as directed by the Building Official; delivered to the testing agency; and reported to the City. All charges and costs for preliminary testing shall be borne by the owner/developer.

2.9a1 Material proposed for use as base shall be tested for determination of the following physical constants:

Liquid Limit
Plasticity Index
Linear Shrinkage

2.9a2 Aggregates for Surface Treatment shall be tested for:

Screen Analysis
Percent of Wear (Tex. 410-A)

2.9a3 Materials other than Base Material and Aggregates for Surface Treatment obtained from commercial sources will be acceptable with certification of conformity by the producer/supplier.

2.9b PROGRESS TESTS: Base material will be tested during construction by the City to assure uniformity of quality as determined by preliminary tests. Material found to be not in accord with specification requirements shall be removed and replaced by satisfactory material. Progress tests will be made at the owner/developer's expense.

2.10 ACCEPTANCE:

2.10a TENTATIVE ACCEPTANCE:

Upon completion of the subdivision, the developer shall request a certificate of completion from the Building Official. After reviewing the plans, specifications and test results and after inspecting the improvements, the Building Official, if he is satisfied the requirements of this ordinance have been met, shall officially certify that the subdivision has been completed. Without cost to the City, the developer shall maintain the subdivision for one year following tentative acceptance.

2.10b FINAL ACCEPTANCE AND ASSUMPTION OF MAINTENANCE:

Within one year following tentative acceptance the Building Official will re-inspect all components of the subdivision, and if all are found to be in condition equal to that obtained at the time of tentative acceptance, the City will finally accept the subdivision and assume maintenance duties.

2.11 APPEAL:

Any owner of property affected by this order, who considers that a specific requirement or the order is extremely harsh or creates a condition requiring relief from such requirement may apply to the City Commission for modification or suspension of such requirement. After consideration of all factors involved, the Commission may order such modification of this ordinance as may be determined as in the public interest, either in the individual instance or as a general policy, but without prejudice to any unaffected requirement.

2.12 CONTINUING RESPONSIBILITY:

Neither the prescribed tests and inspections nor tentative acceptance of the work shall release the owner/developer from responsibility for correction of deficiencies which may become evident prior to final acceptance and assumption of maintenance by the City.

SECTION 3 (OF 10)
UTILITY REQUIREMENTS

3.1 WATER SYSTEM

- 3.1a Where water is to be provided by the City, the water system shall be installed by the City of Mason Water Department in accordance with the terms of the City Plumbing Ordinance, unless the subdivider/developer has received approval from the City Commission for a State licensed private contractor to install the system. Proof of current licensing shall be presented to the building Official prior to the commencement of construction.
- 3.1b All water system installations shall comply with the City Water Department installation standards.
- 3.1c Fire hydrants shall be installed according to the standards set forth in the most current edition of the International Fire Code.

3.2 WASTEWATER SYSTEM

- 3.2a Where the wastewater system is to be provided by the City, it shall be installed by the City of Mason Wastewater Department in accordance with the terms of the City Plumbing Ordinance, unless the subdivider/developer has received approval from the City Commission for a State licensed private contractor to install the system. Proof of current licensing shall be presented to the building Official prior to the commencement of construction.
- 3.2b Where permitted by the City of Mason Plumbing Ordinance, on site sewage facilities (OSSF) may be installed. OSSF are to be installed by the subdivider/developer's contractor under the direction of the County OSSF Inspector.

- 3.2c All wastewater system installations shall comply with the City Wastewater Department installation standards.

3.3 ELECTRICAL SYSTEM

- 3.3a Within the boundaries of the City Electric Department service area, electrical service shall be provided according to the provisions of the City's Electrical Ordinance.
- 3.3b Street lighting shall be installed in accordance with the following standards. Upon final acceptance of the street lighting installation the City shall assume responsibility for energy costs and maintenance.
- 3.3b1 All luminaries shall be a minimum of 100 watt high-pressure sodium.
- 3.3b2 A street light shall be placed at each street intersection and shall be situated to properly illuminate the intersection.
- 3.3b3 Street lights shall be placed between intersections at mid-block locations such that a minimum spacing of three hundred fifty feet (350') and a maximum of five hundred feet (500') is maintained between all lights.
- 3.3b4 A street light shall be placed at the end of each cul-de-sac.

SECTION 4 (OF 10)

FLOODPLAIN REQUIREMENTS

All subdivisions created under this ordinance shall comply with the most current version of the City of Mason's Floodplain Ordinance.

SECTION 5 (OF 10)

FEES

Fees related to plat review, inspections and construction of utility services are listed in the City of Mason Fee Schedule which is hereby adopted by reference as though it were fully copied herein, and is filed in the office of the City Secretary. Monetary amounts, and definitions, of said fee schedule are subject to change from time to time by action of the City Commission.

SECTION 6 (OF 10)

EXTENSION TO EXTRATERRITORIAL JURISDICTION

This ordinance is hereby extended in its application to include all of the area within the City's Extra-Territorial Jurisdiction (ETJ) with the following qualifications.

- 6.1 The ETJ will be exempted from any provisions of this ordinance regulating:

- 6.1a The use of any building or property for business, industrial, residential, or other purposes.
- 6.1b The bulk, height, or number of buildings constructed on a particular tract of land.
- 6.1c The size of a building that can be constructed on a particular tract of land, including without limitation any restriction on the ratio of building floor space to the land square footage.
- 6.1d The number of residential units that can be built per acre of land.
- 6.1e Water, wastewater or electrical installations that are not being connected to the City's systems.
- 6.1f Street surface courses.
- 6.2 Any fine or criminal penalty prescribed by this ordinance shall not apply to a violation in the ETJ.
- 6.3 Utilities shall not be extended to the ETJ except where approved according to the provisions of the City of Mason Plumbing Ordinance or City of Mason Electrical Ordinance.
- 6.4 The City shall not assume any expenses related to or maintenance of any systems in the ETJ other than utilities connected to the City's utility systems. Then, maintenance shall only extend to those components traditionally maintained by the City.

SECTION 7 (OF 10)

STREET SPECIFICATIONS

7.1 CLEARING AND GRUBBING:

The entire area of the right-of-way shall be selectively cleared and grubbed to a depth of not less than one foot below natural ground in fill areas and one foot below subgrade elevation in excavated areas. Brush and other debris shall be removed from the right-of-way and disposed of as elected by the developer. In selection of areas to be cleared and grubbed consideration will be accorded by the developer to retainage of trees which, in the opinion of the Building Official, will enhance beautification of said streets by preserving the natural environment and, in his opinion will present no hazard to traffic moving at the legal rate of speed. Such small vegetation as will assist in control of erosion shall also be undisturbed and, if absent and considered needed, shall be planted by the developer and maintained by him until final acceptance of the street.

7.2 GRADING:

The roadway area (subgrade, ditches and slopes) shall be constructed substantially in accord with the typical sections attached hereto and made a part hereof and with the following requirements:

- 7.2a Embankments shall be placed in lifts of not more than eight (8) inches loose depth

and each lift shall be thoroughly compacted by sprinkling and rolling before placement of succeeding lifts.

7.2b Unstable material encountered in either excavated section or beneath embankments shall be removed to a depth of not less than one foot below natural ground or finished subgrade and replaced by satisfactory material. Material so removed shall be removed from the right-of-way.

7.2c Prior to final finishing, subgrade shall be re-rolled to assure uniformity of both cuts and fills and any unstable material shown shall be removed and replaced with satisfactory material.

7.3 ROADWAY DITCHES:

Ditches intended for parallel drainage shall be designed to accommodate runoff to be expected at ten year frequency. On grades of more than three (3) percent, in friable soils, erosion control by sodding and/or seeding or by properly designed checks of concrete, stone or sod blocks shall be included.

7.4 CULVERTS:

Cross drainage culverts shall be designed for runoff to be expected at ten (10) year frequency; may be either standard reinforced concrete pipe, corrugated galvanized metal pipes or reinforced concrete boxes and shall be capable of sustaining "H-15 Highway Loading". No box culvert shall be smaller than two (2) feet in either waterway height or depth. No pipe structure shall have waterway area of less than one and six tenths (1.6) square feet.

7.5 SIDEROAD OR ENTRANCE CULVERTS:

No culvert shall be installed at any entrance to private property except by individual permit issued by authority of the City Commission or its designee, except that entrances from a State maintained road or highway shall be as directed by the proper State authority. Entrance culverts from streets in a subdivision will be installed by the City after deposit of the estimated cost of the structure, its placement and the grading involved. Base and surface comparable to that on the street shall be placed between the right-of-way line and the edge of pavement by the owner or developer. No entrance culvert shall be less than twenty-two (22) feet in length with waterway of not less than one and six tenths (1.6) square feet and shall be designed for runoff of ten year frequency. Headwalls, if placed, shall be of reinforced concrete or course laid masonry, and shall be not higher than six (6) inches above the base crown elevation.

7.6 BRIDGES:

All bridges shall be designed by a Registered Professional Engineer for ten year frequency of storm and with not less than one foot six inches (1'-6") freeboard for drift. The load capacity

shall be not less than "H-15". Bridges shall be founded and protected by riprap to withstand floods of twenty-five (25) year frequency.

7.7 OVERFLOW SECTIONS:

In general the City Commission will, on individual economic consideration, approve the installation of overflow sections. Such consideration will adjudge the probable frequency and depth of overflow, the traffic potential and the nature of the tributary area.

7.7a Conditions considered suitable for the installation of overflow sections:

7.7a1 Drainage courses having no defined channel where channel construction would possibly develop liability for diversion or concentration of runoff.

7.7a2 Streams having a defined channel for normal flow and usual runoff with a wide flood plain covered by infrequent storms.

7.7a3 Stream crossings where traffic potential does not economically warrant bridge construction.

7.7b Design guidelines:

Under condition (7.7a1) the roadway gradient should conform as nearly as feasible with natural ground slopes and no culvert should be installed nor should roadway ditches be constructed. For conditions (7.7a2) and (7.7a3) the overflow facility shall be designed by a Registered Professional Engineer within the following limitations:

7.7b1 The section shall be of reinforced concrete, not less than five (5) inches in thickness and containing not less than four (4) sacks of portland cement per cubic yard of finished concrete; shall extend horizontally between high water elevation calculated for five (5) year frequency and shall extend downward to stable foundation.

7.7b2 Drainage waterway adequate for storms of two (2) year frequency shall be provided, with the additional requirement that the finished grade at low point of roadway shall be no higher than three feet above flow line of stream or one half the depth of the ravine section, whichever is lower.

7.7b3 Reinforcement shall be not less than No. 4 bars placed fourteen (14) inches on centers, both longitudinally and transversely. Laps, if required, shall be not less than fifteen (15) inches and shall be staggered in position. Laps or splices at the crown line will not be acceptable. 7.7b4 The crown width of overflow sections shall be not less than two (2) feet wider than the approach pavement or surface.

7.8 BASE OR BASE COURSES:

7.8a Material for base courses may be either crushed limestone or caliche or bankrun caliche

or calcareous gravel that when laid, constitutes a good stabilized base material or the applicant demonstrates that the street design will meet the purposes of this section based on accepted engineering practices and standards or when tested from the source and/or road bed shall meet the following physical requirements:

Liquid Limit of Soil Binder	40 Maximum
Plasticity Index	12 Maximum 4 Minimum
Linear Shrinkage, percent	7 1/2 Maximum

When sampled from the roadway after processing the material in place shall meet the following grading requirements:

Retained on 2 1/2 inch sieve	0 to 3 percent
Retained on 1 3/4 inch sieve	0 to 10 percent
Retained on No. 4 sieve	45 to 70 percent
Retained on No. 40 sieve	60 to 85 percent

Minor variation from the above requirements may be permitted by the City Commission provided the thickness of the course or courses is increased as directed by the Building Official.

- 7.8b Each course of base material shall be manipulated by blading, sprinkling and rolling as required to thoroughly mix and compact the course throughout its entire depth and to produce a firm and unyielding foundation for surface courses or other base courses. The final course of base, upon which pavement is to be placed, shall be accurately finished to typical section in attachment "A" and allowed to "cure" for seven (7) days before application of the prime coat.

7.9 PRIME COAT:

After final finishing, curing and correction of any irregularities developed during the curing period have been corrected the area of the base which is to receive a surface course shall be primed with an application of approximately two tenths (0.2) gallons of MC-30 cutback asphalt per square yard or surface covered. Generally traffic shall be diverted from the primed area until placement of the surface. Should diversion of traffic not be feasible, the prime coat shall be blanket rolled with a pneumatic roller immediately following application. Prime coat shall be permitted to cure for not less than forty-eight hours following application and before application of surface courses or pavement.

7.10 SURFACE COURSE:

All streets in subdivisions, and providing access thereto shall be provided with a surface course, either asphalt or bituminous concrete, in accordance with the following minimum

standards. The surface course shall not be placed within the period October 1st to April 1st or at any time when the air temperature is below fifty degrees Fahrenheit.

7.10a Asphalt surface. A two course asphalt surface treatment composed of asphalt and aggregates of the grades and rates of distribution shown below:

Asphalt shall be Grade AC-S except that Grade AC-b may be placed on streets having sharp curves and steep grades during the period April 1st to June 15th. Aggregates may be crushed limestone, crushed gravel, gravel or limestone rock asphalt, grading as established by the Texas Department of Highways and Public Transportation Standard Specifications.

GRADING AND RATES OF DISTRIBUTION

First Course:

Asphalt Grade AC-5 (or AC-10)	0.3 to 0.35 gallon per sq yd
Aggregate Not finer than Grade 4	1 cu yd per 85 to 95 sq yds

Second Course:

Asphalt Grade AC-5 (or AC-10)	0.25 to 0.35 gallon per sq yd
Aggregate Not finer than Grade 6	1 cu yd per 110 to 125 sq yds

Total Asphalt both courses not less than 0.6 gallons per square yard.

7.10b Bituminous concrete surface. Such pavement may be either Hot Mix Asphalt Concrete Pavement, Hot Mix Cold Laid Asphaltic Concrete Pavement or Limestone Rock Asphalt Pavement, either proportioned, mixed and laid as required by the pertinent specifications of the Texas Department of Highways and Public Transportation, with the following exception: "Limestone Rock Asphalt Pavement may be placed with an approved spreading and finishing machine provided rolling is delayed for a period sufficient for evaporation of moisture and volatiles."

7.10b1 Bituminous Concrete Pavement shall be placed in such quantity and spread at such rate as to provide a minimum compacted depth of mat of one (1) inch.

7.10b2 Surface treatment and/or bituminous concrete pavement shall be blanket rolled at least once each day during three days following

placement.

7.11 CURBS:

Where streets are proposed to be provided with curbs or curbs and gutters, design and construction details shall be in conformity with the typical section in attachment "A". The curbed section shall be centered with and shall occupy eighty (80) percent of the width of available right-of-way.

7.12 SHOULDERS:

Untreated shoulders shall be bladed and dragged for uniformity after placement of the surface and shall be smooth, stable and well compacted for the entire width. The thickness of base shall not vary from the prescribed thickness by more than one half (1/2) inch at any point tested.

7.13 SCHEDULE OF MINIMUM DIMENSIONS

<u>INCREMENT</u>	<u>PRIMARY STREET</u>	<u>SECONDARY STREET</u>
Right-of-Way Width	60 ft	50 ft
Maximum Grade	10%	12%
Subgrade Crown Width	37 ft	28 ft
Base Crown Width	32 ft	24 ft
First Course Base Thickness	4 in	5 in
Second Course Base Thickness	4 in	None
Prime Coat Width	21 ft	19 ft
Surface Width	20 ft	18 ft
Shoulder Width	6 ft	3 ft
Culvert Length (Square Crossing)	38 ft	30 ft
Bridge Roadway Width	24 ft	22 ft
Overflow Section Roadway Width	24 ft	22 ft

7.14 TRAFFIC CONTROL

The control and direction of traffic within, entering and leaving a subdivision is essential to safe and orderly movement upon the City's streets. Plans for each subdivision shall include those signs, markers, and delineators required by an engineering and traffic survey of the streets. Such signs, markers and delineators as determined necessary by survey shall be secured, fabricated, erected and installed by the developer in accord with the Texas Manual of Uniform Traffic Control Devices as required by Vernon's Civil Statutes, Section 6701d, or its successor statutes at no expense to the City.

SECTION 8 (OF 10)

DEFINITIONS

- 8.0 BASE OR BASE COURSE:** The completed foundation of surface courses pavements or other base courses.
- 8.1 BOND:** The surety in form and amount approved by the City Commission, deposited as guaranty that streets and other subdivision improvements will be completed in accordance with the requirements set forth herein, and within a period of one year following filing of the plat.
- 8.2 BRIDGE:** A drainage structure of more than twenty (20) foot span.
- 8.3 BUILDING OFFICIAL:** An employee of the City responsible for administering the City's ordinances related to building construction and property development. Anyone designated by the Building Official is authorized to fulfill the duties assigned to him under this ordinance.
- 8.4 CITY:** The City of Mason.
- 8.5 CROWN:**
- 8.5a SUBGRADE CROWN is the area between the intersection of the completed subgrade and the slopes of the roadway ditches.
 - 8.5b BASE CROWN is the area between the intersection of the finished surface of the base with the continued slope of the roadway ditches.
- 8.6 CULVERT:** A structure of less than twenty (20) foot span intended for transport of runoff across a street.
- 8.7 ENGINEER:** A Professional Engineer registered in the State of Texas.
- 8.8 ETJ (Extra-Territorial Jurisdiction):** Area within ½ mile of the City limits.
- 8.9 PLAT, FINAL:** The preliminary plat, with any modifications required by the City Commission during the preliminary plat approval process, presented to the Planning and Zoning Commission and City Commission for approval and certification.
- 8.10 PLAT, MINOR:** A plat involving four (4) or fewer lots fronting on an existing public street and where per the Building Official's determination:
- 8.10a The required subdivision improvements are routine in design.
 - 8.10b The proposed lot sizes and lot configurations will comply with this ordinance and the zoning ordinance, if applicable.
 - 8.10c The subdivision does not necessitate the extension of any municipal utilities, other than the installation of service lines to the individual lots, because either existing mains of adequate capacity are accessible or the subdivision is suitable for on-site

water supply and wastewater disposal.

- 8.11 PLAT, PRELIMINARY:** A map drawn to a scale of 1" to 100' or larger conveying an owner/developer's plans for creating a subdivision in a format incorporating all the requirements of this ordinance.
- 8.12 RIGHT-OF-WAY:** The area within the outermost boundaries of a street or the easement area for a constructed watercourse or drainage ditch.
- 8.13 ROADWAY DITCHES:** Those gutters or depressions designed and constructed to transport runoff water along the street and within the established right-of-way.
- 8.14 SHOULDER:** That portion of the completed base not covered by the surface.
- 8.15 SIDEROAD OR ENTRANCE CULVERT:** A structure that provides a crossing of the roadway ditch at entrance to abutting property or at an intersection with a second street.
- 8.16 STREET, PRIMARY:** One which, in the opinion of the Building Official has a traffic potential of more than fifty (50) vehicles per day.
- 8.17 STREET, SECONDARY:** One which, in the opinion of the Building Official has a traffic potential of less than fifty (50) vehicles per day.
- 8.18 SUBDIVISION:** A tract of land that is divided into two or more parts, including an addition to a municipality, to lay out suburban, building, or other lots, or to lay out streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts also including, but not limited to, divisions arising from inheritance, divorce and court orders. A division of a tract includes a division regardless of whether it is made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method. A division of land under this subsection does not include a division of land into parts greater than five acres, where each part has road access and no public improvement is being dedicated.
- 8.19 SUBGRADE:** The graded earth area upon which the base is to be placed.
- 8.20 SURFACE OR SURFACE COURSE:** An asphalt or bituminous concrete layer applied over a completed base course as a wearing course under traffic cover.
- 8.21 SURVEYOR:** A Registered Public or State Land Surveyor of the State of Texas.
- 8.22 TESTS:** The examination by standard laboratory methods of materials used or proposed for use in construction, as performed by an approved commercial laboratory, a registered Professional Engineer or by a qualified technician.
- 8.23 TRAFFIC CONTROL DEVICES:** Those signs, markers, delineators, and protective features

required for regulation of traffic, as determined necessary after engineering analysis.

SECTION 9 (OF 10)
MISCELLANEOUS PROVISIONS

9.1 ORDINANCES IN CONFLICT

All ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

9.2 SEVERABILITY

If any portion of this ordinance shall be declared unconstitutional or in violation of the general laws of the State of Texas, such declaration shall not affect the remainder of this ordinance which shall remain in full force and effect.

9.3 PENALTIES

Any person in violation of this ordinance or any portion hereof, upon conviction, shall be guilty of a misdemeanor and assessed a fine not to exceed \$500.00. For each day any violation of this ordinance shall continue to occur, every such additional day shall be considered a separate offense and additional fines not to exceed \$50.00 per each day may be assessed.

SECTION 10 (OF 10)
EFFECTIVE DATES

PASSED and APPROVED this the 21st day of April, A.D. 2005

APPROVED:

/s/ Karen Scantlin, Mayor



APPROVED AS TO FORM



/s/ David Young, City Attorney

ATTEST:


/s/ Pattie Grote, City Secretary

ATTACHMENT "A"

