

ORDINANCE 2017-001
STREET ACCEPTANCE POLICY FOR THE TOWN OF MCADENVILLE
CHAPTER 18 - SUBDIVISION ORDINANCE

The Town will begin the street acceptance process once a recorded development or a recorded phase of a development has reached 80% occupancy. Occupancy is calculated by the overall number of lots in a phase that have been issued certificates of occupancy. Streets to be accepted must be contiguous to currently maintained Town or State streets. Partial street acceptance may be considered at the discretion of Town Council.

The process for street acceptance shall be as follows:

- 1) The Developer will notify the Town and request an inspection of the streets to be taken over by the Town for maintenance. The purpose of the inspection shall be to verify that the street construction was completed in accordance with the approved project plans and specifications, meets Town and NCDOT requirements for street construction, and is in good condition.
- 2) The Town will complete a final inspection with the Developer and create a punch list of deficiencies. The punch list may be voided after 30 days if repairs are not completed within this time.
- 3) The Developer shall notify the Town upon the completion of all punch list items. The Town will complete an inspection to confirm completion of all items.
- 4) Upon confirmation that all required infrastructure meets Town standards, the Developer may submit an application for street maintenance acceptance. The application shall be accompanied by a written warranty against defects which shall guarantee the material and workmanship for a period of not less than one (1) year from the date of acceptance. The warranty shall be accompanied by a financial guarantee payable to the Town equal to at least 15% of the cost of the installation of the infrastructure improvements as determined by the Town.
- 5) Upon completion of all above listed items, the Town Council shall then consider the acceptance of the subject street(s) with the item being placed on the next available council agenda.
- 6) Costs for street inspections, re-inspections, and review of bonding materials shall be borne by the Developer.
- 7) Upon successful performance of the street improvements for the one-year warranty period, as determined by Town, the financial guarantee shall be returned to the applicant after approval from Town Council. Upon the failure of an improvement to perform within the generally accepted standards for the type of improvement, as determined by the Town, the applicant shall be notified and given 60 days to correct the defects. Upon default, meaning failure on the part of the applicant to complete the required repairs of defects in a timely manner or as specified, the Town shall request the surety pay to the Town all or any portion of the amount needed to repair the defects based on an estimate by the Town. The Town shall return to the applicant any funds not spent in completing the repairs.

Adopted this the 14th day of March, 2017.

Jim Robinette, Mayor

Attest: Lesley Dellinger, Town Clerk