

CITY OF LOOKOUT MOUNTAIN, GEORGIA

ORDINANCE NO. 37

LAND SUBDIVISION REGULATIONS

A Resolution and Ordinance Regulating the Subdivision of Land Within the Limits of the City of Lookout Mountain, as Now or Hereafter established Requiring and Regulating the Preparation and Presentation of Preliminary and Final Plats for Such Purpose; Establishing Minimum Subdivision Design Standards; Requiring Minimum Improvements to Be Made or Guaranteed to be Made by the Subdivider; Setting Forth the Procedure to Be Followed by the Planning Commission in Applying These Rules, Regulations and Standards; and Prescribing Penalties for the Violation of Its Provisions.

ARTICLE I

Section 101. Short Title. These Regulations shall be known and may be cited as the "Land Subdivision Regulations of the City of Lookout Mountain, Georgia".

Section 102. Purpose and Intent. These Regulations are enacted pursuant to the authority contained in the General Planning and Zoning Enabling Act of 1957, Number 358 (H.B. No. 400) as amended, for the following purposes, among others:

- a. To encourage economically sound and stable land development;
- b. to assure provision for required streets, utilities, and other facilities and services to land developments;
- c. to assure adequate provision for safe and convenient traffic access and circulation, both vehicular and pedestrian, in land developments;
- d. to assure provision for 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

- e. to assure that land is developed in conformity with the Master Plan of the City of Lookout Mountain.

ARTICLE II

Section 201. Definitions. When used in these Regulations the following words and phrases shall have the meaning given in this Section. Terms not herein defined shall have their customary dictionary definitions where not inconsistent with the context. The term "shall" is mandatory. When not inconsistent with the context, words used in the singular number include the plural and those used in the plural number include the singular. Words used in the present tense include the future.

- a. "Lot" - A portion or parcel of land separated from other portions or parcels by description as in a subdivision plat or record of survey map or as described by metes and bounds, and intended for transfer or for building development. For the purpose herein, the term does not include any portion of a dedicated right of way.
- b. "Planning Commission" - is the City of Lookout Mountain Municipal Planning Commission.
- c. "Street" - is a way for vehicular traffic, whether designated as an avenue, boulevard, road, highway, expressway, lane, or other way, and for the purposes of these Regulations "Streets" are divided into the following categories:
 - (1) "Major Streets" - state highways and those streets designated as major streets on the

official map of the City of Lookout Mountain, Georgia.

- (2) "Collector Street" - a street within a subdivision used to carry traffic from the "Minor Streets" to the "Major Streets" and includes the principal entrance and circulation of a subdivision.
 - (3) "Minor Street" - a street used primarily for access to the abutting properties.
 - (4) "Cul-de-Sac" - a "Minor Street" having one end open to traffic and the other end permanently terminated in the minimum right of way and paved turn around specified in Section 1004 of these Regulations.
 - (5) "Marginal Access Street" - a minor street parallel and adjacent to major streets and which provides access to abutting properties with protection from through traffic.
- d. "Subdivider" - is the person, firm or corporation having such a proprietary interest in the land to be subdivided as will authorize the maintenance of proceedings to subdivide such land under these Regulations, or the authorized agent of such person, firm or corporation.
 - e. "Subdivision" - means all divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, legacy, or building development, and includes all division of land involving a new street or a change in existing streets, and, includes resubdivision and where appropriate

to the context, relates to the process of subdividing or to the land or area subdivided:

Provided, however, that the following are not included within this definition:

1. The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of the City as contained in the Zoning Ordinance;
2. The division of land into parcels of five acres or more where no new street is involved.

ARTICLE III

PLATTING JURISDICTION, ENFORCEMENT

Section 301. Platting Authority. From and after the passage of these Regulations, the Planning Commission shall be the official platting authority, and no plat of a land subdivision shall be entitled to record in the office of the Clerk of Court of Walker County unless it shall have the approval of the Planning Commission inscribed thereon. The filing or recording of a plat of a subdivision without the approval of the Planning Commission as required by these Regulations is declared to be a misdemeanor.

Section 302. Use of Plat. No lot or lots within a subdivision shall be sold unless the plat of such subdivision has been given final approval by the Planning Commission and such approved plat has been recorded in the office of the Clerk of the Superior Court of Walker County.

Section 303. Opening and Improving Public Streets. The City will not accept, lay out, open, improve, grade, pave or light any street, which had not attained the status of a public street prior to the effective date of these Regulations, unless such street corresponds to the street location shown on an approved subdivision plat or on an official road map adopted by the Planning Commission.

Section 304. Erection of Buildings. No building per-

mit shall be issued and no building shall be erected on any lot unless the street giving access thereto has been accepted as a public street in accordance with these Regulations, or unless such street had attained the status of a public street prior to the effective date of these Regulations, or unless a bond or other surety has been posted pursuant to Article XIV of this ordinance.

ARTICLE IV

PREAPPLICATION PROCEDURE

Section 401. Preapplication Review. Whenever the subdivision of a tract of land is proposed, the subdivider is urged but not required to consult with the Planning Commission. The subdivider may submit sketch plans and data showing existing conditions within the site and in its vicinity and the proposed development layout of the subdivision.

ARTICLE V

PROCEDURE FOR TENTATIVE APPROVAL

OF PRELIMINARY PLAT

Section 501. Application for Preliminary Plat Approval.

Following the preapplication review of a proposed subdivision, the subdivider shall submit to the Planning Commission at least fifteen (15) days prior to the next regular meeting of the Planning Commission, the following:

- a. A letter requesting review and approval of a Preliminary Plat and giving the name and address of a person to whom the notice of the hearing by the Planning Commission on the Preliminary Plat shall be sent.
- b. Five copies of the Preliminary Plat and any other related documents.

Section 502. Review of Preliminary Plat. The Planning Commission shall check the plat for conformance to these Regulations and shall afford a hearing on the Preliminary Plat, notice of the time and place of which shall be sent by the

Chairman of the Planning Commission by registered or certified mail to the person designated in the letter requesting Preliminary Plat review and approval, not less than 5 days prior to the date of the hearing.

Thereafter, the Planning Commission shall give tentative approval or disapproval of the Preliminary Plat. A notation of the action shall be made on two copies of the Preliminary Plat, including a statement of the reasons for disapproval if the Preliminary Plat is disapproved. One copy shall be returned to the subdivider or his agent and one copy added to the records of the Planning Commission.

Approval of a Preliminary Plat does not constitute approval of a Final Plat. It indicates only approval of the layout as a guide to the preparation of the Final Plat. Preliminary Plat approval shall expire and be null and void after a period of one year unless an extension of time is requested by the subdivider or his representatives and is approved by the Planning Commission.

If action on a Preliminary Plat is not taken by the Planning Commission within 30 days of the date of submittal, the Preliminary Plat shall be considered approved and a certificate of approval shall be issued on demand. However, the applicant for approval may consent to an extension of time.

ARTICLE VI

PRELIMINARY PLAT SPECIFICATIONS

Section 601. Scale. The Preliminary Plat shall be clearly and legibly drawn at a scale not smaller than 100 feet to one (1) inch.

Section 602. Sheet Size. Sheet size shall be 17 x 21 inches. If the complete plat cannot be shown on one sheet of this size, it may be shown on more than one sheet with an index map on a separate sheet of the same size.

Section 603. Ground Elevations. The Preliminary Plat

shall show ground elevations, based on the datum plane of the U. S. Coast and Geodetic Survey with contour lines at intervals of not more than five (5) feet.

Section 604. Information to be Provided on Preliminary Plat. The Preliminary Plat shall contain the following information:

- a. Name and address of owner of record and of subdivider.
- b. Proposed name of subdivision and its acreage.
- c. North point and graphic scale and date.
- d. Vicinity map showing location and acreage of the subdivision.
- e. Exact boundary lines of the tract of bearings and distances.
- f. Names of owners of record of adjoining land.
- g. Existing streets, utilities and easements on and adjacent to the tract.
- h. Proposed layout including streets and alleys, to be reviewed by a registered engineer, with proposed street names, lot lines with approximate dimensions, easements, land to be reserved or dedicated for public uses, and any land to be used for purposes other than single-family dwellings.
- i. Block numbers, if any, and lot numbers.
- j. Provisions for water supply, fire hydrants, sewerage, and drainage to be reviewed by a registered engineer.
- k. Minimum building front yard setback lines.
- l. Such street cross-sections and center-line profiles as may be required by the County or Planning Commission.

Section 605. 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 Land Subdivision Regulations of the City of Lookout Mountain, Georgia, all the requirements of Preliminary Approval having been fulfilled, this Preliminary Plat was given Preliminary Approval by the City of Lookout Mountain Planning and Zoning Commission on _____, 19 ____.

This Preliminary Approval does not constitute approval of a Final Plat. This Certificate of Preliminary Approval shall expire and be null and void on _____".
(Date)

(Date) Chairman
City of Lookout Mountain
Municipal Planning
Commission

ARTICLE VII

FINAL PLAT PROCEDURE

Section 701. Application for Final Plat Approval. After the Preliminary Plat of a proposed land subdivision has been given tentative approval by the Planning Commission, the subdivider may, within one year from tentative approval, submit to the Planning Commission:

- a. A letter requesting review and approval of a Final Plat and giving the name and address of the person to whom the notice of the hearing by the Planning Commission on the Final Plat shall be sent.
- b. Five copies of the Final Plat and other related documents, as specified in this article.

Section 702. Review of Final Plat. The Planning Commission shall check the Final Plat for conformance with the tentatively approved Preliminary Plat, and with the rules and regulations of these Regulations and shall afford a hearing on the Final Plat, notice of the time and place of which shall be sent by the Planning Commission by registered or certified mail to the person designated in the letter requesting Final Plat

review and approval, not less than 5 days prior to the date of hearing.

Thereafter, the Planning Commission shall approve or disapprove the Final Plat. A notation of the action shall be made on the original tracing and two prints of the Final Plat, including a statement of the reasons therefor if the Final Plat is disapproved. If action is not taken by the Planning Commission within a reasonable time, not to exceed 30 days from the date of the submittal of the Final Plat, the Final Plat shall be considered approved and a Certificate of Approval shall be issued on demand. However, the applicant for approval may waive this requirement and consent to an extension of time.

Section 703. Recording of Final Plat. Upon approval of a Final Plat, the subdivider shall have the Final Plat recorded in the office of the Clerk of Court of Walker County.

ARTICLE VIII

FINAL PLAT SPECIFICATIONS

Section 801. The Final Plat Shall Conform to and Meet the Specifications. The Final Plat shall conform to and meet the specifications of the Preliminary Plat, with the following additions:

- a. The Final Plat shall be clearly and legibly drawn in permanent ink on tracing cloth, drafting film or other approved material. Sheet sizes shall be 17 x 21 inches and where more than one sheet is required an index map shall be required on the same size sheet. The Final Plat shall show:
 - (1) Bearings and distances to the nearest existing street center lines and bench marks or other permanent monuments (not less than three) shall be accurately described on the plat.

- (2) Municipal, County and land lot lines accurately tied to the lines of the subdivision by distances and angles when such lines traverse or are within 200 feet to the subdivision.
- (3) Exact boundary lines of the tract, determined by a field survey performed by registered land surveyor.
- (4) Name of subdivision, exact locations, widths, and names of all streets and alleys within and immediately adjoining the Plat.
- (5) Street center-lines showing angles of deflection, angles of intersection, radii, and lengths of tangents.
- (6) Lot lines with dimensions to the nearest one-tenth foot and bearings to the nearest minute.
- (7) Lots numbered in numerical order and blocks, if any, lettered alphabetically.
- (8) Location, dimensions, and purposes of any easements and any areas to be reserved or dedicated for public use.
- (9) Accurate location, material, and description of monuments and markers.
- (10) Accurate location of fire hydrants, water supply, sewage and drainage.
- (11) A statement, either directly on the Plat or in an identified attached document, of any private covenants and restrictions.
 - a. An Engineer's or Surveyor's Certification, directly on the Final Plat as follows:

" It is hereby certified that this Plat is true and correct and was prepared from an actual survey of the property

by me or under my supervision; that all monuments shown hereon actually exist, and their location, size, type and material are correctly shown; and that all engineering requirements of the Land Subdivision Regulations of the City of Lookout Mountain, Georgia, have been fully complied with".

By _____
Registered C. E. No. _____

Registered Georgia Land
Surveyor No. _____

- b. An Owner's Certification, directly on the Final Plat as follows:

"Owner's Certification:

State of Georgia, County of Walker

"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, city and county taxes or other assessments now due on this land have been paid".

Agent _____ Owner _____

Date _____ Date _____

- c. 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 which he is dedicating should be attached to the Final Plat.

CERTIFICATE OF OWNERSHIP AND DEDICATION

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

_____, 19____
(Date)

Owner

Owner

d. CERTIFICATION OF APPROVAL OF WATER SYSTEM, directly on the Final Plat as follows:

I hereby certify that the community or public water supply and distribution system installed or to be installed, and/or the plans for private water supplies in the subdivision plat attached hereto meets the requirements of the Health Department.

_____, 19____
Date

Health Officer

e. CERTIFICATION OF SEWER SYSTEM, directly on the Final Plat as follows:

I hereby certify that the community or public sewerage collection and disposal system installed or to be installed, and/or the plans for private sewage disposal system in the subdivision plat attached hereto meets the requirements of the Health Department.

Lot Number(s) _____

_____ is (are) not approved for private sewage disposal systems.

_____, 19____
Date

Health Officer

f. CERTIFICATION OF APPROVAL OF THE PLAN FOR STREETS AND UTILITIES, directly on the Final Plat as follows:

I hereby certify that the Plan for streets, utilities, and other required improvements in this subdivision is acceptable and meets all the requirements of the Land Subdivision Regulations of the City of Lookout Mountain, Georgia.

_____, 19____
Date

Signature

Title

- g. CERTIFICATE OF APPROVAL FOR RECORDING,
directly on the Final Plat as follows:

I hereby certify that the subdivision plat shown hereon has been found to comply with the Land Subdivision Regulations of the City of Lookout Mountain, Georgia and that it has been approved by the City of Lookout Mountain Municipal Commission for recording in the office of the Clerk of the Court of Walker County, Georgia.

_____, 19____.

Secretary, City of Lookout
Mountain Municipal Planning
Commission

- h. A Certificate of Approval of the Final Plat by the Planning Commission, directly on the Plat, as follows:

"Pursuant to the Land Subdivision Regulations of the City of Lookout Mountain, Georgia, all the requirements of approval having been fulfilled, this Final Plat was given Final Approval by the City of Lookout Mountain Planning Commission on

_____, 19____."

Secretary, City of Lookout
Mountain Municipal Planning
Commission

ARTICLE IX

GENERAL DESIGN REQUIREMENTS

Section 901. Name of Subdivision. The name of the subdivision must have the approval of the Planning Commission. The name shall not duplicate nor closely approximate the name of an existing subdivision.

Section 902. Access. Subdivisions shall be located so as to gain access over a public street.

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

Section 903. Large-Scale Developments. The requirements of these Regulations may be modified in the case of a large-scale community or neighborhood unit, such as a housing project or shopping center which is not subdivided into customary lots, blocks, and streets, if the development is approved by the Planning Commission and if it is in conformity with the purpose and intent of these Regulations.

ARTICLE X

GENERAL REQUIREMENTS FOR STREETS AND OTHER RIGHTS-OF-WAY

Section 1001. Continuation of Existing Streets. Existing streets shall be continued at the same or greater width, but in no case less than the required width.

Section 1002. Street Names. Street names and house numbers shall require the approval of the Planning Commission. Streets that are obviously in alignment with streets already existing and named shall be given the name of the existing street. Names of new streets shall not duplicate or closely approximate those of existing streets. Street and Name Signs must be of a type approved by the City Engineer, and signs shall be installed by the developer.

Section 1003. Street Jogs. Street jogs with center-line offsets of less than 125 feet should be avoided.

Section 1004. Cul-de-Sac. Except where topographic or other conditions make a greater length unavoidable, Cul-de-Sacs, or dead-end streets, shall not be greater in length than 1,000 feet. They shall be provided at the closed end with a turnaround having a property line radius of at least 50 feet with an outside pavement radius of at least 40 feet. Temporary turnarounds shall be provided for dead-end streets to be extended at a later date.

Section 1005. Development Along Major Street, Limited Access Highway or Railroad Right-of-Way. Where a subdivision abuts or contains a major street, a limited-access highway, or a railroad right-of-way, the Planning Commission may require a

street approximately parallel to and on each side of such right-of-way either as a marginal access street, or at a distance suitable for an appropriate use of the intervening land, with a non-access reservation. Due regard should be given requirements for approach grades and future grade separations in determining distances. Such lots shall have no access to a Major Street (or limited-access highway), but only to the access street.

Section 1006. Reserve Strips. Reserving strips which control access to streets and public grounds shall not be permitted.

Section 1007. Easements. Easements having a minimum width of ten (10) feet shall be provided for utility lines, and underground mains and cables.

Where a Subdivision is traversed by a water course, drainage way, channel, or stream, there shall be provided a closed storm-water or other drainage system of adequate size and of permanent construction.

ARTICLE XI

STREET DESIGN REQUIREMENTS

Section 1101. Street Right-of-Way Widths. The right-of-way width shall be the distance across a street from property line to property line. Minimum street right-of-way widths shall be as follows:

- a. Major street width, 60 feet.
- b. Collector streets, 50 feet.
- c. Minor streets and dead-end streets, 40 feet.

Section 1102. Street-Pavement Widths. Street pavement shall be as follows:

- a. Major street widths as required by the Georgia Highway Department, the County Commissioner, or the City Council.
- b. Collector streets, 28 feet.

- c. Minor streets, local streets and dead-end streets, 22 feet.

Section 1103. Street Grades. Maximum street grades shall be as follows:

- a. Major streets, shall conform to the requirements of the Georgia State Highway Department.
- b. All other streets not in excess of 15 per cent.

Section 1104. Horizontal Curvature. The minimum radii of centerline curvature shall be as follows:

- a. Major streets, shall conform to the requirements of the Georgia State Highway Department.
- b. Collector streets, 200 feet.
- c. Minor streets and alleys, 100 feet.

Section 1105. Tangents. Between reverse curves, there shall be tangent having a length not less than the following:

- a. Major streets, shall conform to the requirements of the Georgia State Highway Department.
- b. Collector streets, 100 feet.

Section 1106. Vertical Alignment. Vertical alignment shall be such that the following requirements are met:

- a. Major streets, shall conform to the requirements of the Georgia State Highway Department.
- b. Collector and minor streets shall have a site distance of at least 200 feet at 6 feet above ground level.

Section 1107. Street Intersections. No street intersection to a major street shall be at an angle of less than 60 degrees.

Section 1108. Curb-line Radius. The curb-line radius at street intersections shall be at least 15 feet. Where the angle of street intersection is less than 90 degrees, a longer radius may be required.

ARTICLE XII

DESIGN STANDARDS FOR BLOCKS AND LOTS

Section 1201. Block Lengths and Widths. If blocks are used, block lengths and widths shall be as follows:

- a. Blocks shall be not greater than 1,800 feet nor less than 600 feet in length, except in unusual circumstances.
- b. Blocks shall be wide enough to provide two tiers of lots of minimum depth except where abutting upon major streets, limited-access highways, or railroads or where other situations make this requirement impracticable.

Section 1202. Lot Sizes. Residential lots shall meet the lot width and lot area requirements of the zoning ordinance.

In the absence of a zoning ordinance, residential lots shall have an area of not less than 15,000 square feet.

Residential corner lots shall have adequate width to meet building setback requirements from both abutting streets.

Section 1203. Building Lines. A building line of not less than 30 feet from the street right-of-way shall be established on all lots.

Section 1204. 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 1205. Percolation Tests. Before determining the lot sizes, where there is no existing sewer system, the Walker County Health Department shall be consulted so that percolation tests of the soil can be made. If percolation does not meet minimum standards, lot sizes must be increased as re-

quired by the Health Department so official approval can be given for septic tanks.

Section 1206. Visible Public Utilities. All public utilities which are visible must be placed in the rear yard as close to rear lot lines as practicable.

ARTICLE XIII

REQUIRED IMPROVEMENTS

Section 1301. Every subdivider shall plan for and provide the following street improvements and utilities, which must be approved by the City Engineer.

- a. Street grading, curbs and gutters, and street base and paving, except on Major or Limited-Access streets.

Street base and paving requirements by the city are as follows:

1. Six-inch water bound base.
2. Two inches of 3/4" asphaltic concrete leveling binder course.
3. One inch of asphaltic concrete surface course.

Other material of equal quality may be accepted if prior written approval of the Planning Commission is given.

- b. Water mains within the subdivision with connections to each lot must be certified by the city's engineer. Such mains must have a minimum diameter of 6" and further must conform to any additional requirements to provide proper pressure, volume and flow of water to fire hydrants as determined by the utility furnishing the water supply.

All utilities to be installed in the streets shall be placed and compacted prior to paving.

c. Curbs and gutters must conform to standard drawings submitted by the subdivider and approved by the City Engineer.

d. Fire hydrants must be placed on the right-of-ways so that no point of any lot is more than 1,000 feet from a hydrant.

Section 1302. Drainage. An adequate drainage system, including necessary open ditches, pipe culverts, catch-basins, and bridges shall be provided for the proper drainage of all surface water. Cross drains shall be of sufficient length to permit full roadway width and the required slopes. The drainage structure sizes are to be determined by the Manning Formula, but in no case shall a cross drain be less than 15" in diameter. The Highway Department shall be consulted before any drains are installed to insure they will conform to the formula as to proper size.

Cross drains shall be built on straight line and grade and shall be laid on a firm compacted base. In the event rock is encountered in the trench, the rock shall be removed 4" below the grade and replaced with suitable material. Pipe shall be laid with the spigot end pointing in the direction of flow and with ends fitted and matched to provide tight joints and a smooth uniform invert made by grouping tile of 24" diameter or larger half way up the pipe on the inside and half way down on the outside.

All cross drains and driveway tile shall have concrete headwalls as shown on drawings approved by the City Engineer. Wingwalls of a corresponding design shall be provided as needed.

When necessary for proper flow, inlet and outlet ditches shall be provided at drainage structures and drainage easements shall be shown on side and rear lines.

Treatment of the inlet and outlet ditches and all drainage ways in the subdivision shall conform to the following table and in all cases to be constructed on a firm base.

SIZE OF NEAREST CULVERT

TREATMENT

<u>Upstream</u>	<u>Seeded</u>	<u>Sod</u>
15"	Grades 3-10%	Grades exceeding 10%
18" , 24"	Grades 1.5% - 7.0%	Grades exceeding 7.0%
30" , 36"	Grades 1.0% - 4.0%	Grades exceeding 4.0%
42" , 60"	Grades 2.5% - or less	Grades exceeding 2.5%

Swales or ditch lines paralleling the roadway shall be graded a minimum of 1% where possible, in no case will grades of less than 0.5% be allowed. Where at all possible, main drainageways shall be cut to the rear of lot lines and not carried down the roadway.

If a drainage pipe is under 30 inches in diameter, located in the ditch line, and more than 100 feet long, concrete or solid masonry catch basins with a 6" minimum wall thickness shall be required at intervals of 100' or at lot lines whichever is less. The design of these catch basins shall conform to drawings approved by the City Engineer.

Where there are long grades, relief pipes shall be placed. The maximum interval of relief pipes shall be 500'.

Should a bridge or large drainage structure be required to provide proper drainage it shall be designed by a licensed civil engineer and approved by the City Engineer.

ARTICLE XIV

SURETY FOR COMPLETION

Section 1401. Conditions. Bonds or other surety posted for the completion of improvements shown on the Final Plat shall run to the City of Lookout Mountain, Georgia, and provide that the subdivider, his heirs or successors and assigns, and their agents and servants, will comply with all applicable terms, conditions, provisions, and requirements; will faithfully perform and complete the work of constructing and installing said facilities or improvements in accordance with these Regulations and any other applicable requirements; and that the subdivider

shall be responsible to the City of Lookout Mountain, Georgia, for any unnecessary expense incurred through the failure of the subdivider, his heirs, successors and assigns, or their agents or servants, to complete the work of said construction in an acceptable manner, and from any damages growing out of negligence in performing or failing to perform said construction and installation. Before acceptance, any surety shall be approved by the City of Lookout Mountain, Georgia. If a bond is offered, it shall be executed by a surety or guaranty company qualified to transact business in the State of Georgia.

ARTICLE XV

SEVERABILITY

It is intended that the provisions of these Regulations be severable and should any portion be held invalid, such invalidity shall not affect any other portion of these Regulations.

ARTICLE XVI

CONFLICTING ORDINANCES

Whenever the provisions of these Regulations and those of some other statute, ordinance or resolution apply to the same subject matter, that statute, ordinance or resolution requiring the highest, or more strict, standard shall govern.

ARTICLE XVII

PART OF CODE OF ORDINANCES

It is the intention of the governing body and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lookout Mountain, Georgia, and the sections of this Ordinance may be renumbered to accomplish such intention.

ARTICLE XVIII

EFFECTIVE DATE

This Ordinance shall be effective ten (10) days after its adoption by at least three (3) members of the Council of this City after two (2) readings at least one (1) week apart.

Approved on first reading on February 17, 1972.

Joe D. McGinnis
Member of City Council of Lookout Mountain, Ga.

John Amate
Member of City Council of Lookout Mountain, Ga.

[Signature]
Member of City Council of Lookout Mountain, Ga.

Member of City Council of Lookout Mountain, Ga.

Member of City Council of Lookout Mountain, Ga.

Shenwood D. Dudley
Mayor of Lookout Mountain, Georgia

Approved and adopted on second reading on March 16, 1972.

Joe D. McGinnis
Member of City Council of Lookout Mountain, Ga.

John Amate
Member of City Council of Lookout Mountain, Ga.

[Signature]
Member of City Council of Lookout Mountain, Ga.

Member of City Council of Lookout Mountain, Ga.

Member of City Council of Lookout Mountain, Ga.

Shenwood D. Dudley
Mayor of Lookout Mountain, Georgia

ATTEST:
[Signature]
City Clerk of Lookout Mountain, Ga.

(SEAL)