

Title 21

SUBDIVISION OF LOTS*

Chapter 1. In General

- Sec. 21-101. Procedure.
- Sec. 21-102. Applicability.
- Sec. 21-103. Planning Commission; rights; submission of plats.
- Sec. 21-104. Definitions.

Chapter 2. Classification of Subdivisions

- Sec. 21-201. Subdivisions generally.
- Sec. 21-202. Utility requirements; all classes.
- Sec. 21-203. Particular requirements; Class "A" and "B" subdivisions.
- Sec. 21-204. Particular requirements; Class "C" subdivisions.

Chapter 3. Minimum Design Standards

- Sec. 21-301. Block length.
- Sec. 21-302. Block width.
- Sec. 21-303. Continuation of adjoining street system.
- Sec. 21-304. Street names.
- Sec. 21-305. Major streets.
- Sec. 21-306. Minor streets.
- Sec. 21-307. Culs-de-sac.
- Sec. 21-308. Right angle intersections.
- Sec. 21-309. Half-streets.
- Sec. 21-310. Alleys.
- Sec. 21-311. Right-of-way width.
- Sec. 21-312. Drainage easements.
- Sec. 21-313. Street grades.
- Sec. 21-314. Lots; requirements generally.
- Sec. 21-315. Easements.
- Sec. 21-316. Dedication or reservation of public sites and open spaces.

Chapter 4. Preliminary Plats

- Sec. 21-401. Submission.
- Sec. 21-402. Filing fee.
- Sec. 21-403. Number of copies.
- Sec. 21-404. Required contents.
- Sec. 21-405. Approval.

***State law references**—Local subdivision regulations, W.S. 15-1-510; platting, W.S. 34-12-101 et seq.

MOORCROFT CODE

Chapter 5. Final Plat

- Sec. 21-501. Submission of final plat.
- Sec. 21-502. Number of copies.
- Sec. 21-503. Signature of owner required.
- Sec. 21-504. Scale.
- Sec. 21-505. Final plat information.

Chapter 6. Extent and Manner of Physical Improvements

- Sec. 21-601. Streets.
- Sec. 21-602. Water.
- Sec. 21-603. Sewers.
- Sec. 21-604. Street signs.
- Sec. 21-605. Sidewalk requirements.
- Sec. 21-606. Other improvements.
- Sec. 21-607. Consideration by Planning Commission.

Chapter 7. Variances and Exceptions

- Sec. 21-701. Planning Commission recommendations.
- Sec. 21-702. Requisites.

Chapter 8. Miscellaneous

- Sec. 21-801. Building permits.
- Sec. 21-802. Final filing fee.
- Sec. 21-803. Certifications required on final plat.
- Sec. 21-804. Submission to the governing bodies.
- Sec. 21-805. Amendments.

CHAPTER 1. IN GENERAL**Sec. 21-101. Procedure.**

All plans, plats or replats of land laid out in building lots, hereafter made for each subdivision or each part thereof lying within the Town limits shall be prepared and presented and shall be approved by the Town Council and shall be recorded as prescribed in this title. Any subdivision lying outside of and within one (1) mile of the Town limits shall be subject to approval by both the Town Council and the County Commissioners.

(Prior Code, § 21-101)

Sec. 21-102. Applicability.

The regulations contained herein shall apply to the subdivision of a tract or parcel of land into two (2) or more lots, tracts or other divisions of land for the purpose of sale or of building development, whether immediate or future, including the resubdivision or replatting of land or lots. Division of land for agricultural purposes in parcels or tracts of land of five (5) acres or more, and not involving any new streets or easements of access, shall be exempt from the requirements these regulations.

(Prior Code, § 21-102)

Sec. 21-103. Planning Commission; rights; submission of plats.

The Planning Commission shall have the right to confer with the subdivider regarding the type and character of development that will be permitted in the subdivision, and may require that certain minimum regulations regarding this matter be incorporated in the set of covenants. Such regulations shall be intended to protect the character and value of the surrounding development of the property which is subdivided. All plans, plats or replats of land laid out in building lots, and the streets, alleys or other portions of the same intended to be dedicated for public use, or for the use of purchasers or owners of the lots fronting thereon or adjacent thereto or any vacation or abandonment thereof, shall be submitted to the Planning Commission for its consideration, and its recommendation shall be submitted to the Town Council for their official consideration and action.

(Prior Code, § 21-103)

Sec. 21-104. Definitions.

The following words, terms and phrases, when used in this title, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alley means a public thoroughfare which affords only a secondary means of access to abutting property.

Block means a piece or parcel of land entirely surrounded by public highway, streets, streams, railroad rights-of-way or parks, etc., or a combination thereof.

Cul-de-sac means a street having one (1) end open to traffic and being permanently terminated by a vehicle turnaround.

Design means the location of streets, alignment of streets, grades and widths of streets, alignment of easements, grades and widths of easements, alignment and rights-of way for drainage and sanitary sewers, and the designation of minimum lot area, width and length.

Easement means a grant by the property owner to the public, a corporation, or persons, of the use of a strip of land for specific purposes.

Final plat means a plan or map prepared in accordance with the provisions of this regulation and those of any other applicable local regulation, which plat is prepared to be placed on record in the office of the Register of Deeds of the County in which any part of the subdivision is located.

Improvement means street work and utilities that are to be installed or agreed to be installed by the subdivider on the land to be used for public or private use of the lot owners in the subdivision and local neighborhood traffic and drainage needs, as a condition precedent to the approval and acceptance of the final map or filing of the record of the survey map thereof.

Lot means a portion of land in a subdivision, or other parcel of land, intended as a unit for transfer of ownership or for development.

Major thoroughfare means a street, highway or roadway designated as such on the official major street plan.

Marginal access streets or frontage roads means a minor street which is generally parallel to or adjacent to a major traffic thoroughfare, highway or railroad right-of-way and provides access to abutting properties.

Pedestrian way means a right-of-way dedicated to the public use, or a private right-of-way serving more than one (1) ownership which provides principal vehicular and pedestrian access to adjacent properties.

Planning area means that area on a map prepared and maintained for or by the Planning Commission describing the planning area limits.

Planning Commission means the Planning Commission for the Town.

Preliminary plat means a map made for the purpose of showing design of a proposed subdivision and the existing conditions in and around it, this map need not be based on accurate or detailed final survey of the property.

Secretary means the Secretary of the Planning Commission.

Setback line or building line means a line on a plat generally parallel to the street right-of-way, indicating the limit beyond which buildings or structures may not be erected or altered except as otherwise provided in the zoning regulations of the Town and the County.

Street means a right-of-way dedicated to the public use, or a private right-of-way serving more than one (1) ownership which provides principal vehicular and pedestrian access to adjacent properties.

Subdivider means a person, firm, corporation, partnership, or association who causes land to be divided into a subdivision for himself or for others.

Subdivision means the division of a tract of land into three (3) or more lots or parcels for the purpose of transfer of ownership or building development, or, if a new street is involved, any division of a parcel of land. The term "subdivision" includes the term "resubdivision," which shall include any further subdivision of a lot or parcel or land previously subdivided, for sale, use, or other purposes, which varies from the latest, approved subdivision of the same. The term "subdivide," or any derivative thereof, shall have reference to the term "subdivision," including mobile home courts or parks, the creation of which constitutes a subdivision of land.

Town Council means the Mayor and Town Council of the Town.
(Prior Code, § 21-104)

CHAPTER 2. CLASSIFICATION OF SUBDIVISIONS

Sec. 21-201. Subdivisions generally.

- (a) *Class "A."* All subdivisions located within the corporate limits of the Town.
- (b) *Class "B."*
 - (1) All subdivisions adjoining or touching the corporate limits of the Town.
 - (2) Any subdivision adjoining or touching the boundaries of a tract or area for which annexation proceedings have been commenced by the Town.
 - (3) Any subdivision touching or adjoining an approved subdivision which touches or adjoins the corporate boundaries of the Town.
- (c) *Class "C."*
 - (1) A subdivision lying within the planning area that does not adjoin the Town limits, and that does not adjoin another subdivision that adjoins or touches the Town limits.
 - (2) A subdivision lying within the planning area that does not adjoin the Town limits, that does not adjoin another subdivision that adjoins or touches the Town limits, and does not lie adjacent to a major throughfare.

(Prior Code, § 21-201)

Sec. 21-202. Utility requirements; all classes.

In all classes of subdivisions, the area of the lots will be determined by the availability of public sewer and public water supply. The determination of whether or not public water is available in sufficient quantities to serve the subdivision shall be made by the subdivider and a copy of the results of the survey sent to the Planning Commission.

(Prior Code, § 21-202)

Sec. 21-203. Particular requirements; Class "A" and "B" subdivisions.

(a) If the proposed subdivision is serviced with a public water supply and Town sewer or a community type sewage treatment plant, approval of the plat shall be subject to the minimum requirements set forth therein.

(b) If the proposed subdivision is serviced with a public water supply, but not with a public sewer system, the preliminary plat will be submitted on the basis a minimum of one (1) acre lots and subject to the approval of the Planning Commission, who shall make or cause to be made percolation tests for each lot. The plat will be so proportioned as to permit future replatting consistent with good subdivision design. The optimum proportion shall be one hundred twenty-five (125) foot frontage by one hundred sixty (160) foot depth.

(c) If the proposed subdivision is served with a public sewer system and not with a public water supply, and the developer will use a private water supply, the preliminary plat will be submitted on the basis of a minimum one and one-half ($\frac{1}{2}$) acre lots, subject to the approval of the Planning Commission, and be so proportioned that the future planning will be consistent with good subdivision design. The optimum proportion shall be one hundred twenty-five (125) foot frontage by one hundred sixty (160) foot depth.

(d) If the proposed subdivision is not served with either a public water supply or a public sewer system and the developer will be using a private water supply with a septic tank sewage disposal system, the subdivider shall submit his preliminary plat on the basis of two and one-half ($2\frac{1}{2}$) acre lots, subject to the approval of the Planning Commission who shall make or cause to be made percolation tests. The plat will be so proportioned as to permit future replatting consistent with good subdivision design.

(e) The subdivider, landowner or developer shall submit a petition for consideration for annexation of the subdivision to the Town with the preliminary plat, except for Class "B" subdivision.

(Prior Code, § 21-203)

Sec. 21-204. Particular requirements; Class "C" subdivisions.

In all Class "C" subdivisions the same requirements shall apply as applied to Class "A" and "B" subdivisions with the exception that in Class "C" subdivisions, the subdivider shall not be required to submit a petition for annexation of the proposed subdivision.

(Prior Code, § 21-204)

CHAPTER 3. MINIMUM DESIGN STANDARDS**Sec. 21-301. Block length.**

Intersecting streets, (which determine block lengths), shall be provided at such intervals as to serve cross traffic adequately and to meet existing streets in the neighborhood. In residential districts, where no existing plats are recorded, the blocks shall not exceed one thousand (1,000) feet in length, except that in outlying subdivisions a greater length may be permitted where topography or other conditions justify a departure from this maximum. Blocks for business use should normally not exceed six hundred (600) feet in length.

(Prior Code, § 21-301)

Sec. 21-302. Block width.

In residential development, the block width shall normally be sufficient to allow two (2) tiers of lots of appropriate depth. Blocks intended for business or industrial use shall be of such width and depth as many be considered most suitable for the prospective use.

(Prior Code, § 21-302)

Sec. 21-303. Continuation of adjoining street system.

The arrangement of streets in new subdivisions shall make provisions for the continuation of the principal existing streets in adjoining additions (or their proper projection where adjoining property is not subdivided) insofar as they may be necessary for public requirements. The width of such streets in new subdivisions shall not be less than the minimum street width established in this chapter. Alleys, when required, and street arrangement must also be such as to cause no hardship to owners of adjoining property when they plat their land and seek to provide for convenient access to it. Whenever there exists a dedicated or platted half-street or alley adjacent to the tract to be subdivided, the other half of the street or alley shall be platted, and dedicated as public way.

(Prior Code, § 21-303)

Sec. 21-304. Street names.

Streets that are obviously in alignment with others already existing and named shall bear the names of the existing streets.

(Prior Code, § 21-304)

Sec. 21-305. Major streets.

Major streets through subdivisions shall conform to the major street plan as adopted by the Planning Commission and the Town Council.

(Prior Code, § 21-305)

Sec. 21-306. Minor streets.

Minor streets shall be so designed to discourage through or non-local traffic.
(Prior Code, § 21-306)

Sec. 21-307. Culs-de-sac.

Culs-de-sac shall be permitted only when topography or ownership prevents normal subdivision of a tract or plot or ground. Said culs-de-sac shall normally be no longer than five hundred (500) feet, including an adequate turnaround which shall be provided at the closed end.
(Prior Code, § 21-307)

Sec. 21-308. Right angle intersections.

Under normal conditions, streets shall be laid out to intersect, as nearly as possible, at right angles. Where topography or other conditions justify a variation from the right angle intersections, the minimum angle shall be sixty (60) degrees.
(Prior Code, § 21-308)

Sec. 21-309. Half-streets.

Dedication of half-streets will not be approved.
(Prior Code, § 21-309)

Sec. 21-310. Alleys.

Alleys are permitted but not required. All alleys designed shall be twenty (20) feet in width.
(Prior Code, § 21-310)

Sec. 21-311. Right-of-way width.

(a) The right-of-way width of all streets, alleys and public ways, included in any subdivisions thereafter dedicated and accepted, shall not be less than the minimum dimensions for each classification as follows (street pavement refers to back to back of curb):

<i>Major Streets</i>	<i>Street Pavement</i>	<i>Street Row</i>
Arterials	60'	80'
Collectors	50'	80'
Local streets	40'	60'
Alleys	—	60'
Culs-de-sac	86' diameter	50' radius turnaround

<i>Marginal access streets or frontage roads</i>	<i>Width</i>
Two-way	50 feet
One-way	50 feet
Alleys	20 feet
Pedestrian ways	10 feet

(b) When existing or anticipated traffic on arterial and collector thoroughfares warrants greater widths or rights-of-way, the additional width shall be provided. There shall be a minimum of two (2) entrances to a subdivision.

(Prior Code, § 21-311)

Sec. 21-312. Drainage easements.

Drainage easements will be required in accordance with the drainage map in addition to street rights-of-way, where the streets adjoin or are parallel with streams or drainage areas or where lots back on where said drainage areas exist. The width of such drainage easement shall be determined by the Planning Commission.

(Prior Code, § 21-312)

Sec. 21-313. Street grades.

In general, all grades shall be more than one-half ($\frac{1}{2}$) of one (1) percent and less than ten (10) percent of all other streets. Deviation from these standards will require approval from the Town Engineer.

(Prior Code, § 21-313)

Sec. 21-314. Lots; requirements generally.

(a) Minimum width shall be sixty (60) feet. Said width shall be measured at the building setback line.

(b) Minimum depth shall be one hundred ten (110) feet. Said measurement shall be measured through the center of the lot and shall be perpendicular to the property line or radial to the property line on curved streets.

(c) In subdivisions where septic tank or other individual sewage disposal devices are to be installed, the size of the lots included in the subdivision shall be subject to regulations in Sections 21-203 and 21-204 (requirements for each class of subdivision).

(d) In subdivisions where private water supply is by well or other means, the size of all lots included in the subdivision shall be subject to regulations in Chapter 2 of this title.

(e) All side lot lines shall bear sixty (60) to ninety (90) degrees from the street right-of-way line on a straight street or from the tangent of a curved street.

(f) Corner lots, in residential subdivisions, shall observe the same setback on both streets.

(g) Double frontage lots shall be avoided unless, in the opinion of the Planning Commission, a variation to this rule will give better alignment and lot arrangement.

(h) Every lot shall abut on a street other than an alley.

(i) Building or setback lines shall be shown on the final plat for all lots in the subdivision and shall not be less than the setback.

(Prior Code, § 21-314)

Sec. 21-315. Easements.

Where alleys are not provided, permanent easements of not less than ten (10) feet in width shall be provided on each side of all rear lot lines, and on side lot lines, where necessary, for utility poles, wires, conduits, storm and sewers, gas, water and heat mains and other public utilities. These easements shall provide for a continuous right-of-way at least twenty (20) feet in width.

(Prior Code, § 21-315)

Sec. 21-316. Dedication or reservation of public sites and open spaces.

(a) In subdividing land or resubdividing an existing plat, the subdivider may dedicate to the Town not less than five (5) percent of the total area, to be used for parks, playgrounds or open space. In addition, due consideration shall be given by the subdivider to the dedication or reservation of suitable sites for schools, large parks and playgrounds, or other public recreational areas or open spaces. Any areas so dedicated or reserved shall conform to the recommendations of the Board of Education in regard to school sites. All areas to be reserved for, or dedicated to, public use shall be indicated on the preliminary plat in order that it may be determined when and in what manner such areas will be dedicated to or acquired by the appropriate agency.

(b) Under no circumstances will private roads be allowed in any dedicated or reserved areas.

(Prior Code, § 21-316)

CHAPTER 4. PRELIMINARY PLATS

Sec. 21-401. Submission.

After reaching the preliminary conclusions regarding the requirements for the proposed subdivision, the subdivider shall submit a preliminary plat together with any supplementary information necessary to the Secretary of the Planning Commission.

(Prior Code, § 21-401)

Sec. 21-402. Filing fee.

A filing fee of one hundred dollars (\$100.00) shall accompany the filing of each preliminary plat.

(Prior Code, § 21-402)

Sec. 21-403. Number of copies.

The subdivider shall submit ten (10) copies of the preliminary plat (and ten (10) copies of a vicinity map, if not on the preliminary plat), showing the location of the proposed subdivision. These plans shall be filed with the Secretary at least fifteen (15) days prior to a regular Planning Commission meeting at which the preliminary plat is to be considered. (Prior Code, § 21-403)

Sec. 21-404. Required contents.

The preliminary plat shall contain the following information:

- (1) The proposed name of the subdivision. (The name shall not duplicate or too closely resemble the name of any existing subdivision.)
- (2) The location of the boundary lines of the subdivision and reference to the section or quarter section lines.
- (3) The names and addresses of the developer, surveyor, landscape architect, or architect who prepared the plat.
- (4) The scale of the plat, one (1) inch equals one hundred (100) feet or larger.
- (5) The date of preparation and north point.
- (6) Existing conditions.
 - a. Location, width and name of platted streets or other public ways, railroads and utility rights-of-way, parks and other public open spaces and permanent building within or adjacent to the proposed subdivision shall be shown on the preliminary plat.
 - b. All existing sewers, water mains, gas mains, culverts, or other underground installations, within the proposed subdivision, or adjacent thereto, with pipe size and manholes, grades and location shall be shown.
 - c. Names of adjacent subdivision together with arrangement of streets and lots, and owners of adjacent parcels of unsplit land shall be shown.
 - d. Topography (unless specifically waived) with contour intervals of not more than five (5) feet, referred to USGS datum shall be shown; also location of watercourses, bridges, wooded areas, lakes, ravines and such other features as may be pertinent to the subdivision shall be shown.
- (7) The general arrangement of lots and their approximate size.
- (8) The location and width of proposed streets, alleys, pedestrian ways, and easements.
- (9) The general plan of sewage disposal, water supply and utilities, in areas where public sewers and/or water are proposed to serve the subdivision. In other cases a notation shall be made on the plat indicating type of sewage disposal, and water system proposed.

(10) Location and size of propose parks, playgrounds, churches, school sites, or other special used of land to be considered for reservation for public use.

(11) General layout of adjacent unsubdivided property to show how streets and other public facilities, in the proposed subdivision, relate to the unsubdivided property.

(Prior Code, § 21-404)

Sec. 21-405. Approval.

Action by the Planning Commission shall be conveyed to the subdivider in writing within ten (10) days after the official Planning Commission meeting at which time the plat was considered. In case the plat is disapproved, the subdivider shall be notified to the reason for such action and what requirements shall be necessary to meet the approval of the Planning Commission. The approval of the preliminary plat does not constitute an acceptance of the subdivision, but is deemed to be an authorization to proceed with the preparation of the final plat. The approval of the preliminary plat shall only be effective for a period of six (6) months, unless an extension is granted by the Planning Commission. If the final plat has not been submitted for approval within this specified period, a preliminary plat must be submitted again to the Planning Commission for approval.

(Prior Code, § 21-405)

CHAPTER 5. FINAL PLAT

Sec. 21-501. Submission of final plat.

After approval of the preliminary plat, the subdivider shall submit a final plat, for recording purposes, to the Secretary of the Planning Commission.

(Prior Code, § 21-501)

Sec. 21-502. Number of copies.

The original (on Mylar, tracing cloth, or similar material) and ten (10) prints thereof shall be submitted to the Secretary of the Planning Commission at least fifteen (15) days prior to the Planning Commission public meeting.

(Prior Code, § 21-502)

Sec. 21-503. Signature of owner required.

The name and signature of the owner of the property, duly acknowledged and notarized, shall appear on the original copies submitted.

(Prior Code, § 21-503)

Sec. 21-504. Scale.

The final plat, prepared for recording purposes, shall be drawn at a scale or at least one (1) inch equals one hundred (100) feet or larger.

(Prior Code, § 21-504)

Sec. 21-505. Final plat information.

The final plat shall show and contain the following information:

- (1) Name of subdivision (not to duplicate too closely approximate the name of any existing subdivision).
- (2) Location of section, township, range, county and state, including the descriptive boundaries of the subdivision based on an accurate traverse, giving angular and linear dimensions which must be mathematically closed. The allowable error of closing on any portion of the plat shall be one (1) foot in five thousand (5,000).
- (3) The location of monuments, which shall be shown in reference to existing official monuments or the nearest established street lines, including the true angles and distances to such reference points or monuments.
- (4) The location of lots, streets, public highways, alleys, parks and other features, with accurate dimensions in feet and decimals of feet with the length of radii on all curves, and other information necessary to reproduce the plat on the ground. Dimensions shall be shown from all curves to lot lines.
- (5) Lots shall be numbered clearly. Blocks shall be numbered or lettered clearly in the center of the block.
- (6) The exact locations, widths, and names of all streets to be dedicated.
- (7) Location, width and names of all streets and alleys to be dedicated.
- (8) Boundary lines and description of the boundary lines of any area other than streets and alleys, which are to be dedicated or reserved for public use.
- (9) Building setback lines on the front and side streets with dimensions.
- (10) Name and address of the developer, licensed surveyor or licensed engineer making the plat.
- (11) Scale of plat (scale to be show graphically and in feet per inch), date of preparation and north point.
- (12) Statement dedicating all easements.
- (13) Statement dedicating all streets, alleys, and all other public areas not previously dedicated.

(Prior Code, § 21-505)

CHAPTER 6. EXTENT AND MANNER OF PHYSICAL IMPROVEMENTS**Sec. 21-601. Streets.**

(a) Streets shall be surfaced with materials approved by the Town and shall include curbs.

(b) Plans and specifications shall include depths and types of materials for subgrade, base, and surfacing. Gradations and source or proposed granular materials to be used shall be submitted by the licensed engineer to the Town for approval.

(c) Design of curbs shall be in accordance with the standard set by the Town Council.
(Prior Code, § 21-601)

Sec. 21-602. Water.

(a) Where a public water supply is proposed to serve a subdivision, water lines shall be installed in proper easements or within the limits of the street and alley right-of-way and shall be of a size as approved by the Town. Specific water main provisions for subdivisions are set forth in Sections 25-516 and 25-522.

(b) Standards for public water systems shall be in accordance with the requirements for the State of Wyoming except that pipe size less than six (6) inches will not be allowed. Special attention will be given to the corrosive properties of soils and preventative measures taken.

(Prior Code, § 21-602)

Sec. 21-603. Sewers.

(a) If the subdivision is of the type included under Section 21-203(a), a sewer system shall be constructed which will provide service to each lot within the subdivision. The system of lateral sewers shall collect the sewage within the subdivision and discharge it into a main sewer or a community disposal system.

(b) Standards of sewerage and sewage works set forth by the State will apply to the design and construction of the subdivision sewer system, except that pipe sizes less than eight (8) inches will not be allowed.

(Prior Code, § 21-603)

Sec. 21-604. Street signs.

Street signs will be supplied and erected in the Town by the Town.
(Prior Code, § 21-604)

Sec. 21-605. Sidewalk requirements.

(a) Sidewalks shall be required in all areas where substantial walking traffic is likely and where necessary for reasons of safety.

(b) Sidewalks shall be a minimum of four (4) feet in width and shall be constructed adjacent to the curb.

(Prior Code, § 21-605; Ord. No. 11-1981, 6-8-1981)

Sec. 21-606. Other improvements.

If other improvements are required, such as tree planting, retaining walls, drainage structures, etc., such improvements shall be made in accordance with the recommendations of the Planning Commission.

(Prior Code, § 21-606)

Sec. 21-607. Consideration by Planning Commission.

If the Planning Commission rejects or withholds approval of the final plat, the subdivider may request that said plat be submitted to the governing body and the Secretary of the Planning Commission, stating the reason for its action. The Town Council may make such findings and determinations as they deem proper.

(Prior Code, § 21-607)

CHAPTER 7. VARIANCES AND EXCEPTIONS**Sec. 21-701. Planning Commission recommendations.**

Whenever it is found that the land included in a subdivision plat presented for approval is of a size or shape that is subject to or is affected by topographical location or conditions, or is to be devoted to such usage that full conformity to the provisions of these regulations is impossible or is impractical, the Planning Commission may recommend to the Town Council by letter of transmittal that said Town Council authorize variances or exceptions in the final plat so that substantial justice may be done and the public interest secured.

(Prior Code, § 21-701)

Sec. 21-702. Requisites.

In recommending such variances or exceptions, the Planning Commission shall find the following:

- (1) That there are special circumstances or conditions affecting the property in question.
- (2) That the variances or exceptions are necessary for the reasonable and acceptable development of the property in question.
- (3) That the granting of the variances or exceptions will not be detrimental to the public welfare or injurious to other property in the vicinity in which the property is situated.

(Prior Code, § 21-702)

CHAPTER 8. MISCELLANEOUS**Sec. 21-801. Building permits.**

After the date of the adoption of the ordinance from which this title is derived by the Planning Commission and the Town Council, no building permit shall be issued for any

structure that is located upon a lot in a subdivision that has not been subdivided, unless approved in the manner as provided for in this title. No such plat or replat or dedication or deed of a street or public way shall be filed with the Register of Deeds, as provided by law, until such plat or replat or dedication or deed shall have endorsed upon it the fact that it has been submitted and approved by the Planning Commission, by the Town Council.

(Prior Code, § 21-801)

Sec. 21-802. Final filing fee.

The final plat shall be accompanied by a fee to the Town Council in the amount of ten dollars (\$10.00) plus fifty cents (\$0.50) for each lot and maximum fee shall not exceed one hundred dollars (\$100.00). These amounts are in addition to the recording fees required by the W.S. 34-12-105.

(Prior Code, § 21-802)

Sec. 21-803. Certifications required on final plat.

(a) Certifications shall be shown on the final plat, signed and acknowledged by all parties holding title or having any title interest in the land subdivided and consenting to the preparation and recording of the plat as submitted. The original and ten (10) copies of the plat, submitted, shall carry the signature of the owner or corporation and shall be duly notarized by a notary public.

(b) A certification by a licensed engineer shall be shown on the final plat stating that the physical and mathematical details of the plat are correct.

(c) Space shall be reserved on the plat, to certify approval and for the date and signature of the following:

- (1) Chairman and Secretary of the Planning Commission.
- (2) Town Council, to be signed by the Mayor and attested by the Town Clerk.
- (3) Board of County Commissioners, to be signed by any two (2) members where required by these subdivision regulations.
- (4) Entry for the date and transfer of record with space for the signature of the County Clerk.
- (5) Space for the recording of the instrument and name of the Register of Deeds.

(Prior Code, § 21-803)

State law reference—Contents of plat, acknowledgements and approvals, W.S. 34-12-103.

Sec. 21-804. Submission to the governing bodies.

After the review of the final plat by the Planning Commission, such final plat, together with the recommendations of the Planning Commission, shall be transmitted to the Town Council for their review and action.

(Prior Code, § 21-804)

Sec. 21-805. Amendments.

The Town Council, from time to time on its own motion or on written application of any party, may amend, supplement, change, modify or repeal, by resolution the boundaries of any subdivision regulation or restriction herein established. Any proposed amendment, supplement, change, modification or repeal shall first be submitted to the Planning Commission for its recommendation and report.

(Prior Code, § 21-805)