

ARTICLE VIII - IMPROVEMENT GUARANTEES

SECTION 800 CONTRACTS

The Planning and Zoning Commission shall not allow recording of any subdivision plat until:

(a) Required improvements have been completed, inspected and accepted by the Town Engineer, or other proper authorities; or

(b) The developer has entered into a written agreement with the Town in the manner and form set forth by the Town Attorney where the developer shall agree:

(1) to construct or cause to be constructed, at his own expense, all required improvements in strict accordance with the standards and specifications of the Town of Easton and the Easton Utilities Commission;

(2) to maintain, at his own cost, the improvements until the same are accepted by the Town of Easton and the Easton Utilities Commission;

(3) to obtain, at his own cost, any easement or release required for the construction or extension of any required improvement.

SECTION 801 GUARANTY

In order to assure the Town that the required improvements shall be constructed and installed at his own expense, in strict accordance with the standards, regulations, and specifications of the Town, and will be maintained until accepted by the Town, the developer shall furnish the Town, cash, bond, irrevocable letter of credit, or other such surety as the Town shall approve in an amount sufficient to cover cost, as estimated by the Town Engineer, of the construction and installation of the aforesaid improvements.

The improvement guaranty shall be conditioned upon:

(a) the developer constructing and installing, or causing to be constructed or installed, in strict accordance with the standards, regulations, and specifications of the Town, as finally approved, the required improvements;

(b) the developer in maintaining at his own cost the said improvements, until the same are accepted by the Town for community use;

(c) the faithful performance by the developer of the Public Works Agreement.

SECTION 802 ACCEPTANCE OF IMPROVEMENTS

(a) Development Inspection

(1) The applicant shall notify the Town of Easton and the Easton Utilities Commission of the completion of the required improvements.

(2) The appropriate agency shall inspect the completed required improvements and notify the developer of approval or specify those items of construction, material, and workmanship which do not comply with the specifications or the approved construction plans.

(3) The applicant, upon notification from the appropriate agency of items not approved shall:

a. proceed, at his own cost, to make such corrections as shall be required to comply with the specifications and approved construction plans; and

b. notify the appropriate agency upon completion, requesting final inspection.

(b) Final Inspection: The appropriate agencies shall make a final inspection with the applicant of all required improvements.

(c) Acceptance: At such time as the Town Engineer is satisfied that the applicant has complied with all standards, regulations, service tariffs and specifications of the Town of Easton and the Easton Utilities Commission an indenture prepared by the applicant in a form approved by the Town of Easton, conveying all streets, parks, and other public lands to the Town of Easton shall be recorded in the Land Records of Talbot County.