

**ORDINANCE NO. 48**

AN ORDINANCE REGULATING REQUIREMENTS FOR NEW DEVELOPMENTS IN  
THE CITY OF ROYALTON.

THE CITY COUNCIL OF ROYALTON HEREBY ORDAINS:

SECTION 1.       LANDSCAPING

In all zoning districts the lot area remaining after providing for buildings, parking areas, driveways, loading areas, sidewalks or other structures must be planted and maintained in grass, Sodding, shrubs or other acceptable vegetation or landscaping techniques. All new uses other than single and two family dwelling units must provide a landscaping plan as part of their site plan review.

General Residential Landscaping Requirements.

The lot area remaining after providing for driveways, sidewalks, patios, building site and/or other requirements shall be sodded, or seeded and mulched, as follows:

- A. The boulevard area of all lots shall be sodded, or seeded.

For purposes of this Ordinance, "boulevard" shall mean that area between the edge of the road way surface and outermost limit of the road right-of-way.

- B. Sodding, or seeding and mulching must be completed, well established and growing no earlier than April 30<sup>th</sup> and no later than October 15<sup>th</sup> of any given year.
- C. Developer and subsequent lot owners/builders shall stabilize soil to prevent soil erosion, and sediment transport to water bodies. All homes & buildings shall have a seeded or sodded yard area prior to the building official issuing a Certificate of Occupancy. During winter and construction months temporary silt fence around the perimeter of the lot shall be required until the seed or sod is well established and growing. Exposed soil shall not be left unsecured or protected for longer than the following:

Slope	Maximum Exposure
Steeper than 3 to 1	7 days
Between 3: 1 to 1 0: 1	14 days
Flatter than 10: 1	21 days

SECTION 2. CERTIFICATE OF OCCUPANCY

Prior to the issuance of a final certificate of occupancy for any newly constructed residential dwelling, the property owner, person, or company requesting the certificate of occupancy shall have installed the improvements to the property upon which the dwelling is located as required in this ordinance or in any applicable development agreement.

- A. In the event final certificate of occupancy is requested after October 15<sup>th</sup> and before April 30<sup>th</sup> of any given year, the City may Issue the certificate of occupancy, provided the requestor or property owner:
  - (i) Provides the City with a cash escrow in the amount equal to \$5,000.00; and
  - (ii) Enters into an escrow agreement with the City to install said improvements by a date specified by the City and which provides the City with the authority to enter upon the property to install said improvements using the money placed in escrow in the event the improvements are not installed by said date. The requestor or property owner shall be responsible for the difference between the escrow amount and the actual cost of installation.
  - (iii) Pays to the City a non-refundable administration fee of \$50.00 for the processing of the escrow and escrow agreement.
- B. In the event an escrow amount is paid to the City it will be refunded without interest within thirty (30) days of certification that the improvements have been satisfactorily installed.

SECTION 3. MAIL BOX SUPPORTS

- A. In all new developments receiving mail delivery the property owner must install a Standard swing-a-way mail box support. Installation of this type of support not only speeds up delivery of your mail but allows snowplowing equipment to do a good job of clearing the snow from your roads during the winter months.

SECTION 4. MINIMUM TREE REQUIREMENTS

In any subdivision that will have 2 or more residences constructed in that subdivision will be required to:

- A. Have on each residential lot of 8,000 to 12,000 square feet in area

at least 2 deciduous trees that are at least 2 inches in diameter measured 16 inches from the earth and or 10 feet tall or; 2 coniferous trees that are at least 2 ½ inches in diameter measured 16 inches from ground level on the uphill side of the tree.

B. Have on each residential lot greater than 12,000 but less than 16,000 square feet in area at least 3 deciduous trees that are at least 2 inches in diameter measured 16 inches from the earth and or 10 feet tall or; 3 coniferous trees that are at least 2 ½ inches in diameter measured 16 inches from ground level on the uphill side of the tree.

C. Have on each residential lot greater than 16,000 square feet in area at least 4 deciduous trees that are at least 2 inches in diameter measured 16 inches from the earth and or 10 feet tall or; 4 coniferous trees that are at least 2 ½ inches in diameter measured 16 inches from ground level on the uphill side of the tree.

D. Indigenous trees already existing on a lot that meet the size requirements listed above will fulfill the requirements for trees on a lot.  
In Addition:

All trees planted in new subdivisions must be planted according to the City of Royalton landscaping ordinances.

Trees shall not be planted on any area designated as city easement.

All trees planted must be healthy 1 year after a certificate of occupancy has been issued for the residence.

SECTION 5.            SITE PLANS

A site plan for each lot or building shall be prepared by the building contractor. The site plan shall detail driveway location, proposed grading contours, set backs, building location, roof drainage, lot drainage, water and sewer locations. The site plan shall also detail locations of trees, landscaping, property lines or man made obstacles within the property boundaries extending to the center of the adjacent street. Site plan approval by the City engineer and building inspector is required prior to obtaining a building permit.

SECTION 6.            DRIVEWAYS

A. Driveways for single family dwellings shall be not less than 12 feet, nor more than 16 feet wide where the driveway meets the City street.

B. Driveways for other than single family dwellings, shall be 30 feet wide measured along the property line, unless otherwise recommended by the City Engineer and approved by the City Council.

C. The driveway angle to the street shall be 90 degrees unless otherwise recommended by the City Engineer and approved by the City Council.

D. The minimum distance between driveways on one lot shall be 25 feet, unless otherwise recommended by the City Engineer and approved by the City Council.

E. All driveways shall have a 12" culvert under them unless otherwise recommended by the City Engineer and approved by the City Council. Maintenance of culverts under driveways shall be the homeowner responsibility.

F. All driveways shall be set back a minimum of 5 feet from the side yard property line.

## SECTION 7. CURB STOPS

A. All curb stops shall be clearly marked until the city's maintenance department maps the location of the curb stop.

B. All curb stops shall be at grade level after final landscaping is done.

## SECTION 8. Violation

Any person who violates any of the provisions of this ordinance shall, upon conviction thereof, be fined and/or incarcerated for not more than the maximum penalty for a misdemeanor prescribed under state law. Each day that a violation is permitted to exist shall constitute a separate offense.

THIS ORDINANCE SHALL SUPERSEDE AND REPEAL ALL PRIOR AND CONSISTENT ORDINANCES. THIS ORDINANCE SHALL BE EFFECTIVE UPON PASSAGE AND PUBLICATION REQUIRED BY LAW.

February 9, 2006

Lori Kowalczyk, Mayor

Carol Madsen, City Clerk/Treasurer