

CODIFIED ORDINANCES OF WILLIAMSTOWN
PART THIRTEEN - PLANNING AND ZONING CODE

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CROSS REFERENCES

Statutory definitions - see W. Va. Code 8-24-3

1301.01 APPLICABILITY.

For the purposes of this Zoning Ordinance, the definitions hereinafter listed in this article shall have the meaning specified herein, except where the text clearly indicates or requires a different meaning. (Passed 12-8-87.)

1301.02 ACCESSORY USE.

"Accessory use" means a use or structure subordinated to the principal use of a building, garage apartment, or to the principal use of land and which is located on the same lot serving a purpose customarily incidental to the use of the principal building or land use. Accessory uses shall be located on the same lot as the principal use, except as otherwise specified.
(Passed 12-8-87.)

1301.03 ALLEY.

"Alley" means any public or private way less than twenty-one feet in width, and any other public or private way, not more than thirty feet in width, whose primary function is to furnish frontage on a street. (Passed 12-8-87.)

1301.04 APARTMENT HOTEL.

A building used or intended to be used as the home of three or more families living independently of each other, in which building may be located a café, drug store, laundry, clothes pressing establishment and/or barber shop for the common use patronage of the residents of said building. (Passed 12-8-87.)

1301.05 APARTMENT HOUSE.

See "Dwelling, Multi-Family".
(Passed 12-8-87.)

1301.06 AUTOMOBILE REPAIR.

"Automobile Repair" means general repair, rebuilding or reconditioning engines, motor vehicles or trailers; collision services including body, frame or fender straightening or repair; over-all painting or paint shop; and vehicle steam cleaning.
(Passed 12-8-87.)

1301.07 AUTOMOBILE SERVICE STATION OR FILLING STATION.

"Automobile service station" or "filling station" means a place where gasoline, kerosene or any other motor fuel or lubricating oil or grease for operating motor vehicles is offered for sale to the public and deliveries are made directly into motor vehicles, including greasing and oiling on the premises, and including minor repairs.
(Passed 12-8-87.)

1301.08 AUTOMOBILE WRECKING.

"Automobile wrecking" means the dismantling or disassembling of used motor vehicles or trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked or their parts. (Passed 12-8-87.)

1301.09 BASEMENT.

"Basement" means that portion of a building below or immediately above grade. A basement shall be considered a story if the floor level is less than three feet six inches below the average grade at the exterior walls of the building.
(Passed 12-8-87.)

1301.10 BILLBOARD OR SIGNBOARD.

See "Sign, Advertising".
(Passed 12-8-87.)

1301.11 BUILDING.

"Building" means any structure having a roof, walls, used or intended to be used for the shelter of persons, animals or property, including earth homes, but excluding any structure designed as a home trailer or other type of trailer.

(Passed 12-8-87.)

1301.12 BUILDING, HEIGHT OF.

"Height of building" means the mean vertical distance from the average established grade in the front of the lot, or from the average natural grade at the building line, if higher, to the average height of the top of the cornice of flat roof, or to the deck line of a mansard roof, or the mid-height of the highest gable or dormer in a pitched or hipped roof, or, if there are no gables or dormers, to the mid-height of a pitched or hipped roof. Where a lot faces on two or more streets or alleys of different average established grades in front of the lot, the higher of such grades shall control only for a depth of 120 feet perpendicularly back from the street line of the higher street or alley. On a corner lot the height is the mean vertical distance from the average established grade or from the average natural grade at the building line, if higher, on the street of greatest width, or if two or more such streets are of the same width, from the higher of such grades. (Passed 12-8-87.)

1301.13 CLINIC.

"Clinic" means a place used for the care, diagnosis and treatment of sick, ailing, infirm or injured persons and those are in need of medical or surgical attention, but who are not provided with board or room nor kept overnight on the premises.

(Passed 12-8-87.)

1301.14 DENSITY.

"Density" in Zone I, 20-44 persons per acre. In Zone IA, II, III, 45 or more persons acres. (Passed 12-8-87.)

1301.15 DRIVE-IN/DRIVE-THROUGH.

"Drive-in/drive-through" means an establishment which is designed to provide, either wholly or in part, service to customers while in their automobiles parked upon the premises.

(Passed 12-8-87.)

1301.16 DWELLING.

"Dwelling" means any building occupied or designed to be occupied exclusively by one or more dwelling units, each of which is used or designed to be used as a permanent place of abode. No dwelling shall consist only of a basement.

(Passed 12-8-87.)

1301.17 DWELLING, MULTI-FAMILY.

"Multi-family dwelling" means a dwelling or portion of a building containing three or more dwelling units. (Passed 12-8-87.)

1301.18 DWELLING, SINGLE-FAMILY.

"Single-family dwelling" means a detached dwelling containing only one dwelling unit. (Passed 12-8-87.)

1301.19 DWELLING, TWO-FAMILY.

"Two-family dwelling" means a dwelling containing two dwelling units.

(Passed 12-8-87.)

1301.20 DWELLING UNIT.

"Dwelling unit" means one room or a suite of two or more rooms in a building, designed for or used by one family for living and sleeping purposes and having at least one kitchen or kitchenette and a sanitary facility.

(Passed 12-8-87.)

1301.21 FAMILY.

"Family" means a person living alone, or two or more persons living together as a single housekeeping unit, in a dwelling unit, as distinguished from a group occupying a rooming house, lodging house, motel or hotel, fraternity or sorority house, provided, however, that "family" as used in "one-family dwelling" in Zone I use regulations shall include not more than four persons unrelated to each other by blood, marriage or legal adoption.

(Passed 12-8-87.)

1301.22 FENCE.

"Fence" means any boundary limitation of posts, wires, rails, etc., constructed for the purpose of confinement, protection or to define a boundary.

- (a) Privacy Fence. A "privacy fence" is a fence so constructed as to restrict visual and/or physical access.
- (b) Ornamental Fence. An "ornamental fence" is a fence of ornamental design such as wrought iron, picket, rail, etc.
- (c) Screened Fence. A "screened fence" is a fence with a ratio of solid to open portions not exceeding one to four.

(Passed 2-20-01.)

1301.23 FLOOR AREA.

"Floor area" means gross floor area, measured to the outside surface of outside walls.

(Passed 12-8-87.)

1301.24 FRONTAGE.

"Frontage" means land abutting a street. Where a specified amount of frontage is required, such shall be measured between parallel lines intersecting the street and extending into the lot. (Passed 12-8-87.)

1301.25 GARAGE.

"Garage" means any building or structure that is built for the purpose of housing one or more automobiles, trucks or other motor vehicle.

(Passed 12-8-87.)

1301.26 GARAGE APARTMENT.

"Garage apartment" means any apartment or dwelling unit that is located above a garage.

(Passed 12-8-87.)

1301.27 HEDGE.

"Hedge" is a line of closely planted bushes or shrubs forming a boundary or barrier.
(Passed 2-20-01.)

1301.28 HOSPITAL.

"Hospital" means a building or portion thereof used for the treatment of sick, injured or infirm persons, and accredited by the American Hospital Association.
(Passed 12-8-87.)

1301.29 HOTEL.

"Hotel" means any building or portion thereof containing six or more guest rooms or suites in which no provisions for cooking is made.
(Passed 12-8-87.)

1301.30 INCLUDING.

"Including" means including but not necessarily limited to.
(Passed 12-8-87.)

1301.31 INDUSTRY.

"Industry" means storage, repair, manufacture, preparation, processing or treatment of any article, substance or commodity. (Passed 12-8-87.)

1301.32 LOADING SPACE.

"Loading space" means an off-street space or berth on the same lot with a building, or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a street, alley or other appropriate means of access. (Passed 12-8-87.)

1301.33 LODGING HOUSE.

See "Rooming House". (Passed 12-8-87.)

1301.34 LOT.

"Lot" means a piece or parcel of land occupied or intended to be occupied by a principal building and accessory buildings, or utilized for a principal use and uses accessory thereto; together with such open spaces as are required by this Zoning Ordinance, and having frontage on a street or alley. (Passed 12-8-87.)

1301.35 LOT AREA.

"Lot area" means the computed area contained within the lot lines.
(Passed 12-8-87.)

1301.36 LOT, CORNER.

"Corner lot" means a lot abutting upon two or more streets as their intersection or upon two parts of the same street, such intersecting streets or parts of the same street forming an interior angle of less than 135 degrees. The point of intersection of the street lines is the "corner".
(Passed 12-8-87.)

1301.37 LOT DEPTH.

"Lot Depth" means the mean horizontal distance between the front and rear lot lines.
(Passed 12-8-87.)

1301.38 LOT, INTERIOR.

"Interior lot" means a lot other than a corner lot.
(Passed 12-8-87.)

1301.39 LOT LINES.

"Lot lines" means the property lines bounding a lot.
(Passed 12-8-87.)

1301.40 LOT LINE, FRONT.

"Front lot line" means the line dividing a lot from a street. On a corner lot only one street line shall be considered as a front line; provided that where the length of a shorter street line is less than ninety percent of the length of the longer street line, such shorter street line shall be considered the front lot line. (Passed 12-8-87.)

1301.41 LOT LINE, SIDE.

"Side lot line" means any lot line other than a front or rear lot line. A side lot line separating a lot from a street shall be called a side street lot line. A side lot line separating a lot from another lot or lots shall be called an interior side lot line.
(Passed 12-8-87.)

1301.42 LOT LINE, REAR.

"Rear lot line" means the lot line opposite the front line. In the case of an irregular, triangular or gore-shaped lot, it shall mean a line within the lot, ten feet long, parallel to and at the maximum distance from the front lot line.
(Passed 12-8-87.)

1301.43 LOT LINE, STREET OR ALLEY.

"Street or alley lot line" means a lot line separating the lot from a street or alley.
(Passed 12-8-87.)

1301.44 LOT OF RECORD.

"Lot of record" means a lot which is part of a subdivision, the map of which has been recorded in the office of the Clerk of the County Commission of Wood County, or a parcel of land, the deed to which was of record as of the effective date of this Ordinance.
(Passed 12-8-87.)

1301.45 LOT, THROUGH.

"Through lot" means a lot having frontage on two parallel or approximately parallel streets. (Passed 12-8-87.)

1301.46 LOT WIDTH.

"Lot width" means the mean width of the lot measured at right angles to its depth.
(Passed 12-8-87.)

1301.47 MANUFACTURED HOME.

"Manufactured home" means a structure comprised of one or more self-structured units, except site preparations, built and transported on its own chassis from the place of manufacture to a site where it is to be occupied as a dwelling in compliance with the BOCA and City Building Codes. This definition shall not include a mobile home.
(Passed 12-7-99.)

1301.48 MANUFACTURING.

"Manufacturing" means the assembling, altering, converting, fabricating, finishing, processing, or treatment of a product. (Passed 12-8-87.)

1301.49 MOBILE HOME.

"Mobile home" means a dwelling used for permanent habitation and of vehicular, portable design built on a chassis and designed to be moved from one site to another and to be used with or without a permanent foundation. For purposes of this Zoning Ordinance, a mobile home shall not be considered a structure. (Passed 12-7-99.)

1301.50 MODULAR HOME.

"Modular home" means a structure comprised of one or more self-structured units, except site preparations, transported on a vehicle from the place of manufacture to a site where it is to be occupied as a dwelling in compliance with the National and City Building Codes. This definition shall not include a mobile home.
(Passed 12-8-87.)

1301.51 MOTEL OR MOTEL HOTEL.

"Motel" or "motel hotel" means a series of attached, semiattached or detached sleeping or living units for the accommodation of automobile transient guests, not including individual cooking or kitchen facilities, such units having direct access to off-street parking spaces for the exclusive use of guests or occupants. (Passed 12-8-87.)

1301.52 NONCONFORMING USE.

(a) "Nonconforming use" means a building, structure or premises legally existing and/or used at the time of original adoption of this Ordinance on January 4, 1988, or any amendment thereto, and which does not conform with the use regulations of the district in which located, and any building, structure or premises conforming in respect to use but not in respect to height, area, yards, or courts, or distance requirements from more restricted districts.
(Passed 12-8-87.)

1301.53 ABANDONED USE.

For the purpose of this Zoning Ordinance, residential use of a non-conforming lot shall not be considered abandoned simply because the lot is sold, leased, passed on by will, or the law of interstate secession, or because of any existing dwelling on such lot is repaired, replaced or removed. (Passed 12-8-87.)

1301.54 OPEN SPACE.

"Open space" means a yard, court or the space required between two buildings or between a building and a boundary line of a parcel.
(Passed 12-8-87.)

1301.55 PARKING SPACE.

"Parking space" means a permanently surfaced and/or slag or gravel surface of not less than 180 square feet, for the parking or enclosure of a motor vehicle.
(Passed 12-8-87.)

1301.56 PUBLIC UTILITY SERVICES.

"Public utility services" means the erection, construction, alteration or maintenance, by public utilities or Municipal or other governmental agencies, of gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems reasonably necessary for the furnishing of adequate City-wide, community or neighborhood service by such public utilities or Municipal or other governmental agencies for the public health or safety or general welfare, but not including buildings. Public utility services shall be deemed to exclude customarily accessory telephone, electrical, gas, sewer or water connections to individual properties. (Passed 12-8-87.)

1301.57 PUBLIC UTILITY STATIONS.

"Public utility stations" means buildings or structures serving as distribution or service centers for only a section of the City, including such uses as water pumping stations, rail or bus waiting shelters and similar uses. (Passed 12-8-87.)

1301.58 RECREATION VEHICLE.

"Recreation vehicle" includes any self-propelled or towed vehicle, qualified for licensing in the State of West Virginia used for camping, touring or transporting pleasure watercraft. (Passed 12-8-87.)

1301.59 ROOMING HOUSE.

"Rooming house" means a single-family dwelling where not less than two but less than six rooms for lodging, with or without meals, are provided for compensation. (Passed 12-8-87.)

1301.60 ROW HOUSE.

"Row house" means a single-family dwelling unit which is part of a row-house building. (Passed 12-8-87.)

1301.61 ROW-HOUSE BUILDING.

"Row-house building" means a building containing a row of two or more single-family dwelling units, each unit being separated from the adjoining units in each story by fire resistive walls without openings and each unit having independent access to the exterior of the building in the ground story. (Passed 12-8-87.)

1301.62 SCREEN FENCE.

"Screen fence" means a wall or fence that does not obstruct vision. (Passed 12-8-87.)

1301.63 SIGN.

"Sign" means any writing, including letter, word or numeral, pictorial representation including device, symbol or trademark, banner or pennant or any other figure of similar character, which is:

- (a) A structure or any part thereof or is attached to, painted on or in any other manner represented on a building or other structure;
- (b) Used to announce, direct attention to or advertise;
- (c) Visible from outside a building.

A sign shall include writing, representation or any other figure of similar character within a building only when illuminated and located in a window. (Passed 12-8-87.)

SIGNS DEFINED ACCORDING TO DEGREE OF ILLUMINATION**1301.64 SIGN, FLASHING.**

"Flashing signs" means an illuminated sign, whether stationary, revolving or rotating, which exhibits changing light or color effects, other than those produced by revolution or rotation, shall be deemed flashing signs only if they exhibit noticeable changes in such light intensity or color effects. (Passed 12-8-87.)

1301.65 SIGN, ILLUMINATED.

"Illuminated sign" means a sign designed to give forth any artificial light or reflect such light from an artificial source.
(Passed 12-8-87.)

1301.66 SIGN, INDIRECT ILLUMINATION.

"Indirect illumination sign" means an illuminated non-flashing sign whose illumination is derived entirely from an external artificial source and is so arranged that no direct rays of light are projected from such artificial source into residences or streets.
(Passed 12-8-87.)

SIGNS DEFINED ACCORDING TO LOCATION ON PREMISES AND/OR METHOD OF ATTACHMENT**1301.67 SIGN, CANOPY OR AWNING.**

"Canopy or awning sign" means a sign other than a projecting sign designated on a canopy, or awning and identifying the name or address of a building or an establishment contained therein. (Passed 12-8- 87.)

1301.68 SIGN, GROUND.

"Ground sign" means a detached sign erected upon or supported by the ground.
(Passed 12-8-87.)

1301.69 SIGN, MARQUEE.

"Marquee sign" means a sign other than a projecting sign mounted on the marquee of any building. (Passed 12-8-87.)

1301.70 SIGN, PROJECTING STREET.

"Projecting street sign" means a sign erected approximately perpendicular to the wall of a building, including a sign similarly erected at the corner of a building, and projecting into the right of way of any street, sidewalk, alley or other public thoroughfare.
(Passed 12-8-87.)

1301.71 SIGN, PROJECTING YARD.

"Projecting yard sign" means a sign erected approximately perpendicular to the wall of a building, including a sign erected at the corner of a building, and projecting into an open space or yard, but not projecting into the right of way of any street, sidewalk, alley or other public thoroughfare. (Passed 12-8-87.)

1301.72 SIGN, ROOF.

"Roof sign" means a sign erected upon the roof of any building.
(Passed 12-8-87.)

1301.73 SIGN, WALL.

"Wall sign" means a sign erected against the wall of any building with the exposed face thereof in a plane parallel to the plane of such wall, and which sign is mounted at a distance, measured perpendicular to such wall, no greater than eighteen inches.
(Passed 12-8-87.)

1301.74 SIGN, ADVERTISING.

"Advertising sign" means a sign directing attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than upon the premises where the sign is maintained. (Passed 12-8-87; 8-6-96.)

1301.75 SIGN, ANNOUNCEMENT.

"Announcement sign" means a sign of temporary character, indicating events conducted or to be conducted upon the premises upon which such sign is maintained.
(Passed 12-8-87.)

1301.76 SIGNS, BILLBOARD.

Any advertising sign with a surface area greater than one hundred (100) square feet.
(Passed 8-6-96.)

1301.77 SIGN, BULLETIN BOARD.

"Bulletin board sign" means a sign of permanent character, but with movable letters, words or numerals, indicating the names of persons associated with, or events to be conducted upon, the premises upon which the sign is maintained.
(Passed 12-8-87.)

1301.78 SIGN, BUSINESS.

"Business sign" means a sign directing attention to a business, commodity, service or entertainment conducted, sold or offered upon the premises upon which the sign is maintained.
(Passed 12-8-87.)

1301.79 SIGN, IDENTIFICATION.

"Identification sign" means a sign, other than a bulletin board sign, indicating the name of a permitted use, the name or address of a building, or the name of the management thereof.
(Passed 12-8-87.)

1301.80 SIGN, INSTRUCTIONAL.

"Instructional sign" means a sign conveying instructions with respect to the premises on which it is maintained, such as a sign designating the entrance to or exit from a parking area, a trespassing sign, a danger sign and the like.
(Passed 12-8-87.)

1301.81 SIGN, PROFESSIONAL.

"Professional sign" means a sign indicating the name and occupation of a professional person or group of associated professional persons.
(Passed 12-8-87.)

1301.82 SIGN, NAMEPLATE.

"Nameplate sign" means a sign indicating the name and address of an occupant.
(Passed 12-8-87.)

1301.83 SIGN, REAL ESTATE.

"Real estate sign" means a sign advertising the sale, rental or lease of the premises on which it is maintained, including a subdivision sign.
(Passed 12-8-87.)

1301.84 SIGN, SURFACE AREA OF.

"Surface area of sign" means the entire area within a single perimeter enclosing the extreme limits of writing, representation, emblem or any figure of similar character, together with any material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed. When two sides of a double-faced sign are located not more than 28 inches apart at the widest point and not more than 18 inches apart at the narrowest point, and display identical writing or other representation, the surface area shall include only one of the sides. Any additional sides of a multi-faced sign shall be considered as a separate sign for purposes of computing the total surface area of the sign.
(Passed 12-8-87.)

1301.85 STORY.

"Story" means that part of a building included between any floor and the floor or roof next above; provided that for the purpose of regulating the dimensions of yards and courts, when the average height of any building exceeds 12 feet, each 12 feet or fraction thereof of total building height shall be considered as a separate story.
(Passed 12-8-87.)

1301.86 STREET.

"Street" means any public or private way not defined as an alley, whose primary function is to furnish the chief means of access to the properties abutting it.

1301.87 STRUCTURAL ALTERATION.

"Structural alteration" means any change in the structural members of a building, such as walls, columns, beams or girders, which increased the stress beyond that established in the F.H.A. Code. (Passed 12-8-87.)

1301.88 STRUCTURE.

"Structure" means anything constructed or made, the use of which requires permanent location in or on the ground or attachment to something having a permanent location in or on the ground. (Passed 12-8-87.)

1301.89 TOURIST HOME.

"Tourist home" means a building or part thereof, other than a hotel, boarding house, rooming house or motel where lodging is provided by a resident family in its home for compensation, mainly for transients. (Passed 12-8-87.)

1301.90 WALL.

"Wall" is a boundary limitation constructed of a more permanent material such as stone, brick, concrete, timber, etc. (Passed 2-20-01.)

1301.91 YARD.

"Yard" means an open space other than a court on a lot, unoccupied and unobstructed from the ground upward except as otherwise provided in this Zoning Ordinance. (Passed 12-8-87.)

1301.92 YARD, FRONT.

"Front yard" means a yard extending across the full width of a lot and measured between the front lot line and the principal building. (Passed 12-8-87.)

1301.93 YARD, REAR.

"Rear yard" means a yard extending across the full width of the lot and measured between the rear lot line and the principal building. (Passed 12-8-87.)

1301.94 YARD, SIDE.

"Side yard" means a yard extending from the front yard to the rear yard and measured between the side lot line and the principal building. (Passed 12-8-87.)

1301.95 ZONING ORDINANCE.

"Zoning ordinance" as used herein means the Zoning Ordinance of the City of Williamstown. (Passed 12-8-87.)

CHAPTER 1305
Board of Zoning Appeals

1305.01	Board establishment; membership, term and vacancy; expense reimbursement.	1305.05	Powers and duties.
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CROSS REFERENCES

Appeals - see W. Va. Code 8-24-56 et seq.
Injunctions - see W. va. Code 8-24-67

1305.01 BOARD ESTABLISHMENT; MEMBERSHIP, TERM AND VACANCY; EXPENSE REIMBURSEMENT.

(a) A Board of Zoning Appeals is hereby established which shall consist of five members to be appointed by Council, one for a term of one year, two for terms of two years, and two for terms of three years. Terms shall expire on January 1 of the first, second or third year respectively, following their appointment. Thereafter, as their terms expire, each new appointment shall be for a term of three years. If a vacancy occurs, by resignation or otherwise, Council shall appoint a member for the unexpired term.

(b) Members of the Board shall be freeholders and residents of the City, and three-fifths of the members shall have been residents of the City for at least ten years preceding the time of their appointment. No member of the Board shall be a member of the Planning Commission, nor shall any member hold other elective or appointive office in the City or County Government. Members of the Board shall serve without compensation, but shall be reimbursed for actual expenses incurred in the performance of their official duties.
(Passed 12-8-87.)

1305.02 RULES; OFFICES; MEETINGS; QUORUM; RECORDS.

(a) The Board of Zoning Appeals shall adopt rules necessary to the conduct of its affairs, and in keeping with the provisions of this Zoning Ordinance. At the first meeting of each year the Board shall elect a Chairman and Vice-Chairman from its members. Meetings shall be held at the call of the Chairman and at such other times as the Board may determine; provided that the Board shall meet no less than quarterly. The Chairman, or in his absence the Vice-Chairman, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public. A majority of members of the Board shall constitute a quorum. No action of the Board shall be official unless authorized by a majority of the Board.

(b) The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be a public record and be immediately filed in the office of the City Clerk.

(Passed 12-8-87.)

1305.03 APPEALS TO BOARD; HEARING TIME AND NOTICE.

(a) Appeals to the Board of Zoning Appeals concerning interpretation of administration of this Zoning Ordinance may be taken by any person aggrieved or by any officer or bureau of the governing body of the City affected by decision of the administrative official. Such appeals shall be filed within thirty days of the decision or order from which the appeal is being filed, by filing with the administrative official and with the Board a notice of appeal specifying the grounds thereof. The administrative official shall forthwith transmit to the Board all documents, plans and papers constituting the record upon which the action appealed from was taken.

(b) The Board shall fix a reasonable time for the hearing of an appeal, within forty-five days of receipt of the appeal, give public notice thereof in the manner specified in the West Virginia Code, as amended, as well as due notice to the parties in interest. A decision shall be rendered within thirty days of the hearing. At the hearing, any party may appear in person or by agent or attorney.

1305.04 STAY OF PROCEEDINGS.

An appeal stays all proceedings and work on premises concerned in furtherance of the action appealed from, except as provided by the provisions of West Virginia Code Chapter 8A, Article 8, Section 12.

1305.05 POWERS AND DUTIES.

The Board of Zoning Appeals shall have the following powers and duties:

- (a) Administrative Review: To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the administrative official in the enforcement of this Zoning Ordinance.

- (b) Conditional Uses; Conditions Governing Applications and Procedures: To hear, decide on and authorize only such conditional uses as the Board is specifically authorized to pass on by the terms of this Zoning Ordinance; to decide such questions as are involved in determining whether conditional uses should be granted; and to authorize conditional uses with such conditions and safeguards as are appropriate under this Zoning Ordinance; or to deny conditional uses when not in harmony with the purpose and intent of this Zoning Ordinance. A conditional use shall not be authorized by the Board unless and until:

- (1) A written application for a conditional use is submitted indicating the section of this Zoning Ordinance under which the conditional use is sought.
- (2) Notice shall be given at least ten days in advance of a public hearing in a local newspaper. The owner of the property for which the conditional use is sought, or his agent, as well as the abutting property owner(s), shall be notified by mail. Notice of such hearings shall be posted on the property for which the conditional use is sought, at City Hall, and in one other place at least ten days prior to the public hearing.
- (3) The public hearing shall be held. Any party may appear in person or by agent or attorney.
- (4) The Board shall make a finding that it is empowered, under the section of this Zoning Ordinance described in the application to authorize the conditional use, and that the authorization of the conditional use will not adversely affect the public interest.

In authorizing any conditional use, the Board may prescribe appropriate conditions and safeguards in conformity with this Zoning Ordinance, and such additional conditions and safeguards as the Board may deem necessary for the protection of abutting properties and the public welfare. Violation of such conditions and safeguards when made a part of the terms under which the conditional use is authorized, shall be deemed a violation of this Zoning Ordinance and punishable under Section 1309.99. The Board shall prescribe a time limit within which the action for which the conditional use is required shall be begun or completed, or both. Failure to begin or complete such action, or both, within the time limit set shall void the authorization for the conditional use.

- (c) Variances; Conditions Governing Applications and Procedures: To authorize upon appeal in specific cases such variance from the terms of this Zoning Ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Zoning Ordinance would result in unnecessary hardship. A variance from the terms of this Zoning Ordinance shall not be granted by the Board unless and until:

- (1) A written application for variance is submitted demonstrating that:
 - A. Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not generally applicable to other lands, structures or buildings in the same district or vicinity.
 - B. Literal interpretation of the provisions of this Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Zoning Ordinance.
 - C. The conditional uses and circumstances do not result from the actions of the applicant.
- (2) Notice of public hearing shall be given.

- (3) The public hearing shall be held. Any party may appear in person or by agent or attorney.
- (4) The Board shall make findings that the requirements of this section have been met by the applicant for a variance.
- (5) The Board shall further make a finding that the reasons set forth in the application justify that granting of the variance, and that the variance is the minimum variance to make possible the reasonable use of the land, building or structure.
- (6) The Board shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this Zoning Ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

No nonconforming use of neighboring land, structures or buildings in other districts shall be considered grounds for the issuance of a variance.

In granting any variance, the Board may prescribe appropriate conditions and safeguards in conformity with this Zoning Ordinance. Violation of such conditions and safeguards when made a part of the terms under which the variance is granted, shall be deemed a violation of this Zoning Ordinance and punishable under Section 1309.99.

Under no circumstances shall the Board grant a variance to allow a use not permissible under the terms of this Zoning Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Zoning Ordinance in such district.

- (d) Decisions of the Board: In exercising these powers, the Board may, so long as such action is in conformity with the terms of this Zoning Ordinance, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to that end shall have powers of the administrative official from whom the appeal is taken. The concurring vote of three members of the Board shall be necessary to reverse any order, requirement, decision or determination of the administrative official; or to decide in favor of the applicant or any matter upon which it is required to pass under this Zoning Ordinance; or to effect any variation in the application of this Zoning Ordinance.
(Passed 12-8-87.)

1305.06 APPEALS FROM THE BOARD.

Every decision or order of the Board of Zoning Appeals is subject to review by certiorari as provided by the provisions of West Virginia Code Chapter 8A, Article 9.

1305.07 TIME LIMIT AND NOTIFICATION OF CONDITIONAL USE APPLICATION DECISIONS.

All applications for principal conditional uses shall be decided within sixty days of the date of application and the applicant shall be provided with a written notice of either approval or denial.
(Passed 12-8-87.)

**1305.08 DUTIES OF ADMINISTRATIVE OFFICIAL, BOARD, COUNCIL
AND COURTS ON MATTERS OF APPEAL.**

(a) Duties of Administrative Official, Board and Courts: It is the intent of this Zoning Ordinance that all questions of interpretation and enforcement shall be first presented to the administrative official and that such questions shall be presented to the Board of Zoning Appeals only on appeal from the decision of the administrative official, and that recourse from the decisions of the Planning Commission or the Board shall be to the Circuit Court of Wood County, West Virginia, by writ of certiorari as provided by the provisions of West Virginia Code Chapter 8A, Article 9.

ARTICLE 1309
Administration and Enforcement

1309.01	Administration and enforcement.	1309.07	Construction and use to be as provided in permits and certificates of compliance.
1309.02	Permits required.	1309.08	Fees, charges and expenses.
1309.03	Application for permit.	1309.09	Complaint.
1309.04	Fees.	1309.99	Penalty.
1309.05	Expiration of permit.		
1309.06	Certificates of compliance for new, altered or nonconforming uses.		

CROSS REFERENCES

Enforcement - see W. Va. Code 8-24-66
Injunction - see W. Va. Code 8-24-67
Penalty - see W. Va. Code 8-24-68

1309.01 ADMINISTRATION AND ENFORCEMENT.

(a) The Building Official designated by Council shall administer and enforce this Zoning Ordinance. This may be provided with assistance of such other persons as Council directs.

(b) If the Building Official finds that any of the provisions of this Zoning Ordinance are being violated, he shall, in writing, notify the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of illegal use of land, buildings or structures; removal of illegal buildings or structures or of additions, alterations or structural changes thereto; discontinuance of any illegal work being done; or shall take any other action authorized by this Zoning Ordinance to insure compliance with, or to prevent violation of, its provisions.

(Passed 12-8-87.)

1309.02 PERMITS REQUIRED.

(a) No building or other structure shall be erected, moved, added to or structurally altered without a permit therefore issued by the Building Official. No building permit shall be issued except in conformity with the provisions of this Zoning Ordinance, except after written order from the Board of Zoning Appeals. All applications for building permits shall be accompanied by plans, in duplicate and drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations on the lot of buildings already existing, if any; and the location and dimensions of the proposed building or alteration. The application shall include such other information as lawfully may be required by the Building Official, including existing or proposed buildings or alterations; existing or proposed uses of the building and land; the number of families, dwelling units or rental units the building is designed to accommodate; conditions existing on the lot; and such other matters as may be necessary to determine conformance with, and provide the enforcement of, this Zoning Ordinance.

(b) Except with respect to one and two family dwellings, prior to the issuance of any building permit hereunder by the Building Official for any other structure, and prior to the commencement of any construction pursuant thereto, the plans submitted by the applicant must be approved by the Fire Marshal's office of the State of West Virginia.

(c) One copy of the plans shall be returned to the applicant by the Building Official after such copy has been marked as either approved or disapproved, and attested to the same by the signature of an authorized representative of the Building Official on such copy. The second copy of the plans, similarly marked, shall be retained by the Building Official. No plans are required to be submitted with the application for a building permit when existing buildings are not to be structurally altered.

(Passed 10-2-07.)

1309.03 APPLICATION FOR PERMIT.

(a) All applications for building permits shall be accompanied by plans, in duplicate and drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations on the lot of buildings already existing, if any; and the location and dimensions of the proposed building or alteration. The application shall include such other information as lawfully may be required by the Building Official, including existing or proposed buildings or alterations; existing or proposed uses of the building and land; the number of families, dwelling units or rental units the building is designed to accommodate; conditions existing on the lot; and such other matters as may be necessary to determine conformance with, and provide the enforcement of, this Zoning Ordinance.

(b) One copy of the plans shall be returned to the applicant by the Building Official after such copy has been marked as either approved or disapproved, and attested to the same by the signature of an authorized representative of the Building Official on such copy. The second copy of the plans, similarly marked, shall be retained by the Building Official.

(c) No plans are required to be submitted with the application for a building permit when existing buildings are not to be structurally altered.

(Passed 12-8-87.)

1309.04 FEES,**(a) Definitions.**

- (1) "New construction" shall be defined as primary or first construction on a parcel of land or any construction auxiliary or supplemental to an existing structure, but not attached thereto.
- (2) "Remodeling" shall be defined as those changes in an existing structure which involve the removal or alteration of structural members or the expansion of the existing living area. Also, remodeling shall be defined as any general improvements to the interior or exterior of a residence which shall cause an increase in the value of said property.
- (3) "Maintenance" shall be such improvements that maintain the looks of a property without an increase in the property's value with all work being done by home owner only.
- (4) "Application" shall be a form filled out by a contractor, home owner or any other individual or group seeking to do work with the City of Williamstown. ** Cost is \$10.00.
- (5) "Fees" shall be an amount charged by the City for certain types of work being performed within the City of Williamstown. (See subsection below)
- (6) "Volunteers" shall be such groups who provide services to the needy and without cost.

(b) Services Requiring a Building Permit. Any and all work being performed by a licensed contractor, a home owner who is fixing a property for the sole purpose of resale or others within the City limits of Williamstown under the above classification of New Construction or Remodeling.

(c) Services Not Requiring a Building Permit. Maintenance work, which is being performed solely by a property owner or volunteer group(s) and without the services of a for profit contractor.

Special note: Although it is not the intention of the City Council to cause financial burden upon its citizens, it is the City's responsibility to insure the safety of all residences from unworthy and unscrupulous contractors. Therefore all maintenance work performed by a contractor shall require a \$10.00 application detailing the planned work by said contractor.

Special Note: Any movement of interior plumbing or any interior upgrade of electrical service shall require a certified contractor and therefore an inspection shall be conducted by the Building Official, or a licensed inspector. Fees which may be charged by this licensed inspector shall be the responsibility of the home owner.

(d) Fees.

- (1) All work being done by a licensed contractor, resident, or others requires a \$10.00 application fee.
- (2) Fee shall be \$2.00 per each \$1,000.00 X value of contract.
- (3) Other fees including but not limited to:
 - A. Utility fees (current cost).
 - B. Demolition fees \$35.00 per structure, on property.
 - C. Grading Fees \$1.00 X value of project.
 - D. Electrical permits \$50.00 flat fee for all upgrades or new construction.

E. Plumbing permit \$50.00 flat fee for all upgrades or new construction.

Note: New construction or remodeling projects whereas the general contractor is paying for the entire project through a building permit, shall be excluded from some or all of the above mentioned fees.

(Passed 9-4-12)

1309.05 EXPIRATION OF PERMIT.

(a) If the work described in any building permit has not begun within ninety days from the date of issuance thereof, the permit shall expire and be cancelled by the Building Official, and written notice thereof shall be given to the persons affected.

(b) If the work described in any building permit has not been substantially completed within two years of the date of issuance thereof, such permit shall expire and be cancelled by the Building Official and written notice thereof shall be given to the persons affected, together with notice that further work as described in the cancelled permit shall not proceed unless and until a new building permit has been obtained.

(Passed 12-8-87.)

1309.06 CERTIFICATES OF COMPLIANCE FOR NEW, ALTERED OR NONCONFORMING USES.

(a) No person shall use or occupy or permit the use or occupancy of any building or premises, or both, or part thereof hereafter created, erected, changed, converted or wholly or partly altered or enlarged in its use or structure until a certificate of zoning compliance has been issued therefor by the administrative official stating that the proposed use of the building or land conforms to the requirements of this Zoning Ordinance.

(b) The certificate of zoning compliance shall state specifically wherein the conforming use differs from the provisions of this Zoning Ordinance. Failure to make such application shall be presumptive evidence that the property was in conforming use at the time of adoption or amendment of this Zoning Ordinance.

(c) No permit for erection, alteration, moving, changing or repair of any building shall be issued until an application has been made for a certificate of zoning compliance, and the certificate shall be issued in conformity with the provisions of this Zoning Ordinance upon completion of the work.

(d) A temporary certificate of zoning compliance may be issued by the administrative official for a period not exceeding twelve months and may be extended by Council during alterations or partial occupancy of a building pending its completion, provided that such temporary certificate may require such conditions and safeguards as will protect the safety of the occupants and the public.

(e) The administrative official shall maintain a record of all certificates of zoning compliance, and copies shall be furnished upon request, to any person. Failure to obtain a certificate of zoning compliance shall be a violation of this Zoning Ordinance.

(Passed 12-8-87.)

1309.07 CONSTRUCTION AND USE TO BE AS PROVIDED IN PERMITS AND CERTIFICATES OF COMPLIANCE.

Building permits or certificates of zoning compliance issued on the basis of plans and applications approved by the administrative officials authorize only the use, arrangement and construction set forth in such approved plans and applications, and no other use, arrangement or construction. Use, arrangement or construction at variance with that authorized shall be deemed in violation of this Zoning Ordinance and punishable as provided by Section 1309.99.
(Passed 12-8-87.)

1309.08 FEES, CHARGES AND EXPENSES.

(a) Council shall establish a schedule of fees, charges and expenses, and a collection procedure, for building permits, certificates of zoning compliance, appeals and other matters pertaining to this Zoning Ordinance. The schedule of fees shall be posted in the office of the administrative official and may be altered or amended only by Council.

(b) No permit, certificate, special exception or variance shall be issued unless or until such costs, charges, fees or expenses have been paid in full, nor shall any action be taken on proceeding before the Planning Commission or the Board of Zoning Appeals unless or until preliminary charges and fees have been paid in full.
(Passed 12-8-87.)

1309.09 COMPLAINT.

Whenever a violation of this Zoning Ordinance occurs or is alleged to have occurred, any person may file a written complaint. Such complaint, stating fully the causes and basis thereof, shall be filed with the administrative official. He shall record properly such complaint, immediately investigate and take action thereon as provided by this Zoning Ordinance.
(Passed 12-8-87.)

1309.99 PENALTY.

(a) Whoever violates any provision of this Zoning Ordinance or fails to comply with any of its requirements shall be fined not more than three hundred dollars (\$300.00) and in addition shall pay all costs and expenses involved in the case. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

(b) The owner or tenant of any building, structure, premises or part thereof, and any architect, builder, contractor, agent or other person who commits, participates in, assists in or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

(c) Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation.
(Passed 12-8-87.)

ARTICLE 1313 Zoning Districts

1313.01	Districts established.	1313.07	Use of property in Zone I-A.
1313.02	Purpose of residential district classification.	1313.08	Purpose of commercial district classification.
1313.03	Uses of property in Zone I.	1313.09	Commercial district use regulations.
1313.04	Restrictions and setback to Zones I, II and II-A front and side yards.	1313.10	Purpose of industrial district classification.
1313.05	Zone I Signs.	1313.11	Industrial district use regulations.
1313.06	Minimum requirements in Zone I, Zone I-A, and Zone II.		

CROSS REFERENCES

Zoning districts generally - see W. Va. Code 8-24-40

1313.01 DISTRICTS ESTABLISHED.

The City of Williamstown is hereby divided into Zones bounded and described as follows:

ZONE I

Designated as Residential Zone shall include all the territory in the said City other than that mentioned and described hereinafter as comprising Zones I-A, II, II-A and III.

ZONE I-A

Designated as Residential-A, shall include all territory in said City embraced within the following boundaries and description:

Beginning at a point on the west side of Route 31, said point being in the west boundary of Zone II and in the old corporation line; thence with said old corporation line 5.63 48' W. to a one inch pipe in the line of Olive Biddle, a corner to Homer Pitts; thence S. 36 41' W. 26.8 feet to a one inch pipe; thence S. 37 10' E. 411.6 feet and S. 35 18' E. 1,102.6 feet to a one inch pipe; thence N. 78 07' E., passing through the lands of Ralph M. Rymer to a point in the west boundary of Zone II; thence with said west boundary in a northerly direction to the place of beginning.

ZONE II.

Designated as Commercial Zone shall include all the territory in said City embraced within the following boundaries and descriptions:

Beginning on Highland Avenue at the Ohio River Bridge and thence in a southerly direction along Highland Avenue, including all city lots to their full depth, not to exceed 200 feet, that abut upon both sides of said Highland Avenue to the corporate limits, and from the west side of Oakwood Avenue between Water Street and East 5th.

Beginning at a one inch pipe in the common line of N. B. Biddle in the northerly line of a 20 foot alley. Said pipe being S. 33 32' W. 739.02 feet from the easterly line of East Ninth Street, thence S. 33 32' W. 943.06 feet to a one inch pipe, a corner to T.D. Rowell, S. 56 28' E. 402.1 Feet to a pipe in the line of Bertha Rowell, thence through Bertha Rowell property S. 34 28' E. 504 feet to a pipe, a corner to Wiley Hicks, et al., thence with the corporation line N. 78 19' E. 222.4 feet to an iron rod, thence North 36 47' East 840.35 feet to a post located on the west Control Access line of Interstate 77, thence South with the control access line and corporation line South 6 26' W. 651.37 feet to a concrete marker, thence S. 13 09' W. 838.32 feet along a woven wire fence to a concrete marker, thence S. 86 25' E. 135 feet to a pipe, thence S. 3 31' W. to the North side of Route 14 (Highland Avenue), thence Northwest following Route 14 (Highland Avenue) to the old corporation line intersecting Route 14 (Highland Avenue), thence with the old corporation line N. 63 48' E. approximately 1,400 feet following the old corporation line to the point of beginning at a one inch pipe.

FIRST TRACT

BEGINNING at a point in the westerly line of River Road, corner to James H. Henrie; thence with said Line, N. 47°48'05" W. 1835.95 feet to the waters edge of the Ohio River, passing a rebar set at the top of the bank; thence with the Ohio River the following courses: N. 38°03'22" E. 1626.19 feet, and N. 35° 54' 42" E. 1099.66 feet the original line of Lots 5 and 6 of the Henderson Farm bottom land; thence leaving the Ohio River and with said line S. 37°15' E., passing a rebar set at the top of bank, 1020.27 feet to a rebar set in the westerly line of WV Route 14; thence with the westerly right of way line of WV Route 14, the following courses, along a curve to the left, having a radius of 2415.03, a chord of S. 2° 37' 03" W 220.08 feet, S. 0° 00' 21" W. 172.94 feet; thence along a curve to the right, having a radius of 2303.11, a chord of S. 0° 46' 15" W. 61.49 feet, N. 88° 27' 52" W. 10 feet; thence along a curve to the right, having a radius of 2293.11 feet, a chord of S. 6° 21' 52" W. 386.06 feet, S. 78° 48' 25" E. 10 feet; thence along a curve to the right, R=2303.11 feet, CH=S. 15° 25' 06" W. 339.37 feet, S. 70° 21' 23" E. 30 feet; thence along a curve to the right, R=2333.11 feet, CH=S. 21° 35' 02" W. 158.01 feet, S. 23° 31' 28" W 627.71 feet to the intersection of the westerly line of WV Route 14 and the westerly line of River Road; thence with the westerly line of River Road, S. 34° 44' 04" W. 843.08 feet to the place of beginning, containing 94.013 acres.

SECOND TRACT

BEING a rectangular tract of land, 435.60' by 200', containing 2.00 acres as more fully described in Order of Annexation.

THIRD TRACT

SITUATE on the waters of Big Run and being part of Williams District, Wood County, West Virginia, and being more particularly bounded and described as follows:

BEGINNING at a 5/8" capped (Pickering) rebar found in the easterly right of way line of Williams Highway (also known as West Virginia State Route Number 14 and United States Route Number 21 (WVDOT Project #F 158 (17)) at the northwest corner of the 9.7 acre Keyman Investments Two LLC Tract (Deed Book 988, Page 965 (see Deed Book 992, Page 704 (Annexation of Property)));

THENCE S 35° 19'38" E 63.15 feet, leaving the easterly right of way line of Williams Highway and with said 9.7 acre Keyman Investments Two LLC, Tract, to a 5/8" capped rebar set;

THENCE, binding on the 123.050 acre (taxed (124.157 acres (Pickering Associates Survey)) Henderson Wilds, LLC, Tract (Deed Book 1228, Page 892), the following five (5) courses and distances;

- (1) THENCE, with a curve turning to the left with an arc length of 1426.35 feet, with a radius of 2186.83 feet, with a chord bearing S 17°33'50" W 1401.20 feet, to a 5/8" capped rebar set;
- (2) THENCE S 01°07'18" E 167.44 feet to a 5/8" capped rebar set;
- (3) THENCE, with a curve turning to the right with an arc length of 402.47 feet, with a radius of 2396.80 feet, with a chord bearing S 03°41'25" W 402.00 feet to a 5/8" capped rebar set;
- (4) THENCE S 57°09'51" E 300.31 feet to a 5/8" capped rebar set;
- (5) THENCE S 38°55'28" W 819.65 feet to a 5/8" capped rebar set in the easterly right of way line of Williams Highway, from where a capped (Pickering) rebar found bears S 66°02'32" E 45.89 feet;

THENCE, with the easterly right of way line of Williams Highway, the following twenty-three (23) courses and distances;

- (1) THENCE N 66°02'32" W 54.11 feet to a capped (Pickering) rebar set;
- (2) THENCE N 24°03'43" E 240.01 feet to a point;
- (3) THENCE S 67°02'15" E 10.00 feet to a point;
- (4) THENCE, with a curve turning to the left with an arc length of 307.85 feet, a radius of 2351.83 feet, a chord bearing N. 19°12'45" E 307.63 feet, to a point;
- (5) THENCE S 74°32'15" E 20.00 feet to a point;
- (6) THENCE, with a curve turning to the left with an arc length of 206.98 feet, a radius of 2371.83 feet, a chord bearing N. 12°57'45" E 206.92 feet to a point;
- (7) THENCE S. 79°32'15" E 20.00 feet to a point;
- (8) THENCE, with a curve turning to the left with an arc length of 161.76 feet, a radius of 2391.83 feet, a chord bearing N. 08°31'30" E. 161.73 feet, to a point;

- (9) THENCE N. 83°24'45" W 20.00 feet to a point;
- (10) THENCE, with a curve turning to the left with an arc length of 319.12 feet, a radius of 2371.83 feet, a chord bearing N 02°43'59" E 318.88 feet to a point;
- (11) THENCE N. 01°07'18" W 136.64 feet to a point;
- (12) THENCE S. 88°52'42" W 10.00 feet to a point;
- (13) THENCE N. 01°07'18" W 30.80 feet to a point;
- (14) THENCE, with a curve turning to the right with an arc length of 212.50 feet, a radius of 2221.83 feet, a chord bearing N. 01°37'06" E 212.42 feet to a point;
- (15) THENCE, S. 85°38'30" E 10.00 feet to a point;
- (16) THENCE, with a curve turning to the right with an arc length of 530.80 feet, a radius of 2211.83 feet, a chord bearing N. 11°14'00" E 529.53 feet, to a point;
- (17) THENCE N. 71°53'30" W. 20.00 feet to a point;
- (18) THENCE, with a curve turning to the right with an arc length of 292.15 feet, a radius of 2231.83 feet, a chord bearing N. 21°51'30" E 291.94 feet, to a point;
- (19) THENCE, N. 64°23'30" W 10.00 feet to a point;
- (20) THENCE, with a curve turning to the right with an arc length of 391.27 feet, a radius of 2241.83 feet, a chord bearing N. 30°36'30" E 390.78 feet, to a point;
- (21) THENCE, N. 54°23'30" W 5.00 feet to a point;
- (22) THENCE, with a curve turning to the right with an arc length of 40.65 feet, a radius of 2246.83 feet, a chord bearing N. 36°07'36" E 40.65 feet, to a point;
- (23) THENCE N. 36°38'42" E 4.44 feet to the point of beginning.

Containing 4.740 acres.

ZONE II-A

Designated as Commercial Zone shall include all territory in said City embraced within the following boundaries and descriptions:

Beginning at a point where Third Street intersects with Henderson Avenue; thence in a northerly direction with Henderson Avenue to a point on the Ohio River; thence in an easterly direction with the meanders of the Ohio River to the point on the easterly side of Highland Avenue intersecting with the Ohio River; thence southerly to the southerly side of Third Street; thence westerly on Third Street to the depth of one lot to its intersection with Dodge Avenue; thence northerly on the easterly side of Dodge Avenue to its intersection with the northerly side of Third Street; thence westerly on the northerly side of Third Street to the point of beginning.

ZONE III

Designated as Industrial Zone shall include all territory embraced within the following boundaries:

AREA I. Beginning at the point where the Ohio River intersects the easterly corporate line; thence in a southerly direction along the eastern corporation line to a point, which point is the intersection of the easterly corporate line with East Fourth Street; thence in a westerly direction along East Fourth Street to its intersection with Highland Avenue; thence in a northerly direction along Highland Avenue to its intersection with the Ohio River; thence east with the meanders of the Ohio River to the point of beginning.

(Passed 12-8-87.)

1313.02 PURPOSE OF RESIDENTIAL DISTRICT CLASSIFICATION.

The residential districts established in this article are designated to promote the protect public health, safety, comfort, convenience, prosperity and other aspects of the general welfare. These general goals include, among others, the following purposes:

- (a) To provide sufficient space in appropriate locations for residential development to meet the housing needs of the City's present and expected future population, with due allowance for the need for a choice of site and building types;
- (b) To protect residential areas against congestion by regulating the density of population and the bulk of buildings in relation to the land around them and to one another, and providing for off-street parking spaces;
- (c) To protect residential areas, as far as possible, against heavy traffic and against through traffic of all kinds;
- (d) To require the provision of open space and a maximum conservation of woodlands and protection of watercourses in residential area, and to encourage the provision of additional open space by permitting cluster development of moderately higher density and intensity coverage with concomitantly higher standards of open space, in order to provide large open areas with greater utility for rest and recreation; and to encourage the development of more attractive, economic and less monotonous building forms, by providing freedom of architectural and site design;
- (e) To provide for access of light and air to windows and for privacy by controls over the spacing and height of buildings and other structures;
- (f) To provide appropriate space for those public and private educational, recreational, health and similar facilities which serve the needs of nearby residents, which generally perform their own activities more effectively in a residential environment and which do not create objectionable influences;
- (g) To promote the most desirable use of land and direction of building development in accord with a well-considered plan, to promote stability of residential development, to protect the character of the district and its peculiar suitability for particular uses, to conserve the value of land and buildings, and to protect the City's tax revenue.
- (h) In describing the areas herein, the Key Map of Williamstown, Wood County, West Virginia, prepared by L.G. Merrill, Civil Engineer, in 1938 and revised in 1946, has been used and the determination of such lines shall be by such map.

(Passed 12-8-87.)

1313.03 USES OF PROPERTY IN ZONE I.

Within Zone I, subject to the exceptions hereafter noted, no building or structure shall be erected, used, arranged or designed or altered to be used, and no lot or premises shall be used in whole or in part for any other than one or more of the following specified uses:

- (a) Dwelling House Uses: Including individual and multiple dwellings, duplexes, apartments or garage apartments.
- (b) Religious Uses: That is, churches and other formal places of worship and religious instruction.
- (c) Educational Uses: That is, public and private schools, public libraries and museums.
- (d) Social Uses: That is, social, recreational and community center buildings, parish houses and grounds for games and sports, except those of a chief activity of which is one customarily carried on for gain.
- (e) Recreational Uses: That is, municipal, school or public recreational buildings, playgrounds and parks.
- (f) Uses Accessory to Permitted Uses Including: Office of a physician, surgeon, dentist, artist, musician, clergyman or other professional person when located in or directly attached to his or her dwelling.
Home occupation though carried on for gain, requiring only home equipment such as dress making, millinery, baking engaged in by persons of the immediate family within their own dwelling.
The renting of rooms or lodgings, or the serving of meals for compensation to not more than eight persons.
- (g) Fire Stations.
- (h) Temporary Buildings in Connections with New Construction.
- (i) A Fence, Hedge or Enclosure Wall. Provided that:
 - (1) A solid fence or enclosure wall shall not exceed a height of six feet and shall not extend beyond the front wall of building; and
 - (2) A screen fence exceeding six feet in height shall have a ratio of solid portion to open not in excess of one to four; and
 - (3) Any fence on a corner lot shall not exceed a height of four feet, nor shall it obstruct any view for vehicles approaching the intersection.
- (j) Off-Street Parking Lots. Off-street parking lots are permitted in Zone I when such parking lot is used in conjunction with a structure that houses a permitted use in Zone I.
- (k) Other Public Buildings: All use of buildings, construction, alterations to structures and use of property in Zone I must comply with the Williamstown Flood Ordinance.
(Passed 12-8-87.)

1313.04 RESTRICTIONS AND SET BACK TO ZONES I, II & II-A FRONT AND SIDE YARDS.

(a) In Zones I, II, and II-A there shall be a front yard on every lot. The minimum horizontal distances between the front wall of any building or any projection thereof, excluding steps and unenclosed porches, and the street line shall be twenty (20) feet. Provided, however, that if there is in existence a building or fronting upon the same side of the street and within the same block as the proposed construction, the front wall of which less than such twenty foot distance between the front wall or any projection thereof and the street line; then such front wall or any projection thereof of such new construction shall not be closer to the street line than the front wall of such existing building or buildings. Where a lot runs through a block from street to street, a front yard, as hereinbefore provided, shall be required along each street line. The front yard of a corner lot shall be the portion of said lot lying between a wall, or any projection thereof, and the front line of said lot, irrespective of whether or not the front entrance to said proposed construction is to face upon the front or side line of said lot. No residence or garage apartment shall be constructed facing an alley.

(b) In Zone I, II, & II-A, it shall be unlawful to construct any building or accessory building, including a private garage, within five (5) feet of side or rear property line.

(c) In Zone II and II-A, front and side yard restrictions and setbacks as applicable in Zone I shall apply except that for allowed commercial uses, yard space may be used for parking areas. (Passed 12-8-87.)

1313.05 ZONE I SIGNS.

In Zone I it shall be unlawful for any person, firm or corporation to place, erect, construct, maintain or use any sign, as above defined, except as follows:

- (a) Name plates not to exceed two square feet in area, as an accessory use to a lot or building on which placed, and bearing one name plate for each family house, which plate may state the occupation of the person(s).
- (b) Instructional Signs. No sign authorized by subsection (a) hereof except signs placed at the entrance to off street parking lots, and directional signs, shall be placed, erected or used nearer to the street line than a distance equal to the average distance from the street line at which the buildings, on the same lot or square are set back upon said street line. (Passed 12-8-87.)

1313.06 MINIMUM REQUIREMENTS IN ZONE I, ZONE I-A AND ZONE II.

In Zone I, (Residential), Zone I-A and Zone II (Commercial), all single family dwellings, multiple dwellings, duplexes, apartment houses, condominiums and garage apartments shall meet and conform to the following minimum requirements:

- (a) Each lot upon which one of the above-named structures is located shall contain a minimum of 5,000 square feet. All single-family dwellings shall have a 4-foot sidewalk adjacent to the public way. Garage apartments are only allowed in Zones I and I-A where they are ancillary to a single family dwelling, and will be defined for the purposes of this Ordinance as a garage and will be used only as a single-family dwelling.
- (b) An off-street automobile parking lot area shall be provided adjacent to each single family dwelling, multiple dwelling, duplex, apartment house, condominium and garage apartment sufficient in area to provide two parking spaces for each house-keeping unit, except garage apartments.
Each parking space shall comprise not less than one hundred eighty square feet of parking stall plus necessary maneuvering space. Space for maneuvering incidental to parking or embarking shall not encroach upon any public way.
- (c) Each lot upon which a multiple dwelling, duplex, apartment house, condominium or garage apartment is located shall have:
 - (1) Two side yards, each fifteen feet in width;
 - (2) A front and rear yard, each thirty feet in depth;
 - (3) In case of corner lots, yard or yards facing street or streets shall be 30 feet in depth;
 - (4) An additional five feet shall be added to each side yard and the front yard and rear yard for each story said building exceeds two stories;
 - (5) A green belt five feet in width shall be provided along the side and rear lot lines (said green belt shall be a part of the side and rear yards required above and not in addition thereto). The green belt shall be planted with shrubs, vines or similar vegetation, or combination thereof.(Passed 12-8-87.)

- (6) All multiple dwellings, duplexes, apartment houses, condominiums, and single family dwellings shall have a 4-foot sidewalk adjacent to the public way, except that, any single family dwelling constructed after the effective date of this Zoning Ordinance shall not be required to install such a sidewalk if the new dwelling is constructed between two existing dwellings which do not currently have sidewalks adjacent to the public way and which can not because of the application of the so-called grandfather clause be compelled to install such a sidewalk. (Passed 7-16-96.)

1313.07 USE OF PROPERTY IN ZONE I-A.

The general character of this district is to consist of single family and multiple family dwellings set in a medium high density living environment. Within Zone I-A, no building or structure shall be erected on any lot that shall contain less than 5,000 square feet and said buildings or structures shall be subject to the exceptions hereinafter noted. No building or structure shall be erected, used, arranged or designed or altered to be used, and no lot or premises shall be used in whole or in part, for any other than one or more of the following specified uses:

- (a) Any use permitted in Zone I except that the following restrictions are deleted or altered for Zone I-A:
- (1) No height limitations shall be applicable to any structure.
 - (2) Multiple dwelling, duplex, town houses, condominium, apartment and garage apartment restrictions are altered in the following particulars:
 - A. 1-1/2 parking spaces for each house-keeping unit;
 - B. Two side yards each 5 feet in width;
 - C. Front and rear yards 20 feet in depth;
 - D. A corner lot, yards facing streets shall be 20 feet in depth;
 - E. No restrictions concerning green belt are applicable.
 - F. All use of buildings, construction, alterations to structures and use of property in Zone I-A must comply with the Williamstown Zoning Ordinance.
- (b) Town Houses not to exceed six dwellings per structure units.
- (c) Group or Cluster Development. Where dwelling houses, multiple dwellings, duplexes or apartment houses, or combinations thereof, are proposed to be constructed in a group or cluster according to a development plan, upon a tract of land, or upon several lots or parcels which are to be treated as a single tract for the purposes of said development, and the regulations set forth in this Zone (I-A) do not permit the orderly and most suitable utilization of said land, the owner may file with the Planning Commission of the City of Williamstown his written application for approval of said plan which should set forth in detail the plan development together with a plat showing the tract, proposed streets, location, size and use of buildings, parking areas, lawns and open spaces.
- (d) Plan Approval. If the Planning Commission determines that said development plan is compatible with other permitted uses in the Zoning District I-A, and is compatible with the buildings and uses in the immediate vicinity and in the general neighborhood of the proposed development, that not less than 25% of the total area involved is free of all buildings and structures, that population within the tract will not be excessive, that proper provision has been made for off-street parking, access for fire and police protection and utility services, said Planning Commission may approve said plan subject to such conditions and requirements as it shall deem necessary. The application, together with such conditions and requirements as the Planning Commission requires, shall be the special zoning regulations for said tract and shall constitute amendments of all other zoning regulations in Zone I-A. (Passed 12-8-87.)

1313.08 PURPOSE OF COMMERCIAL DISTRICT CLASSIFICATION.

The Commercial districts established in this article are designed to promote and protect public health, safety and general welfare. These general goals include, among others, the following specific purposes:

- (a) To provide sufficient space, in appropriate locations in proximity to residential areas, for local and neighborhood retail development catering to the regular shopping needs of the occupants of nearby residences, with due allowance for the need for a choice of sites;
- (b) To provide, as far as possible, that such space shall be available for use for commercial and related activities, and to protect residences by separating them from commercial activities;
- (c) To provide appropriate space and in particular sufficient depth from a street, to satisfy the needs of modern local and neighborhood retail development, including the need for off-street parking spaces in areas to which a large portion of shoppers come by automobile, and to encourage the natural tendency of local and neighborhood retail development to concentrate in continuous retail frontage, to the mutual advantage of both consumers and merchants;
- (d) To protect commercial development and nearby residences against congestion, particularly in areas where the established pattern is predominantly residential but includes local retail uses, by regulating the intensity of local and neighborhood retail development, by restricting those types of establishments which generate heavy traffic, and by providing for off-street parking and loading facilities;
- (e) To protect commercial development and nearby residences against fire, explosions, toxic and noxious matter, radiation, and other hazards, and against offensive noise, vibration, smoke, dust and other particulate matter, odorous matter, heat, humidity, glare and other objectionable influences;
- (f) To provide sufficient and appropriate space, and in particular, sufficient depth from the street, to meet the needs of the City's central and community commercial center, including the need for off-street parking space in areas where a large proportion of customers come by automobile, with due allowance for the need for a choice of site, and to encourage commercial development to concentrate in continuous retail frontage within commercial areas, to the mutual advantage of both consumers and merchants;
- (g) To provide sufficient space in appropriate locations for all types of commercial and miscellaneous service activities, with due allowance for the need for a choice of sites;
- (h) To provide freedom of architectural design, in order to encourage the development of more attractive and economic building forms;
- (i) To promote the desirable use of land and direction of building development in accord with a well-considered plan, to promote stability of commercial development, to strengthen the economic base of the City, to protect the character of the District and its peculiar suitability for particular uses, to conserve the value of the land and buildings, and to protect the City's tax revenues.

(Passed 12-8-87.)

1313.09 COMMERCIAL DISTRICT USE REGULATIONS.

- (a) Purpose and Scope. It is the purpose of the Zones II and II-A District to provide principally for convenience goods, needs of persons residing in nearby residential areas and, where located along major highways and thoroughfares, to accommodate primarily automobile-oriented and drive-on establishments.

(b) Principal Permitted Uses.

- (1) General. Principal permitted uses, as permitted and regulated in the Zone I District, except as otherwise specified.
- (2) Residential.
 - A. Multi-family dwelling units, duplexes, apartments, hotels and motels.
 - B. Rooming houses.
 - C. Motels.
- (3) Institutional.
 - A. Churches.
 - B. Public administration buildings, such as police and fire stations.
 - C. Libraries, museums, art galleries.
 - D. Clubs, fraternities, sororities and lodges.
 - E. Educational institutions and private schools.
 - F. Hospitals.
- (4) Public utility services. Other than those in the public right of way, including buildings.
- (5) Public utility stations.
- (6) Offices. For business and professional purposes.
- (7) Financial services. Banks, building and loan companies, savings and loan companies and similar institutions.
- (8) Retail stores. Retail establishments, such as grocery stores, meat, fruit and vegetable markets, supermarkets, delicatessens, candy or confectionary stores, drug stores, florist shops and the like.
- (9) Personal services. Barbershops, beauty parlors, dry-cleaning and laundry pick-up stations, or self-service establishments, shoe and hat repair shops, tailoring and dressmaking.
- (10) Funeral homes.
- (11) Retail, personal and business services.
 - A. Eating and drinking places.
 - B. Entertainment places.
 - C. Studios.
 - D. Post offices and telegraph offices.
 - E. Advertising signs.
 - F. General business services. (Passed 12-8-87.)
- (12) Motor Vehicle and Boat Services.
 - A. Automobile, motorcycle, and truck sales, new or used.
 - B. Automobile, motorcycle and truck service and repairs, providing that all business activities shall be conducted within a completely enclosed building and no storage of wrecked or junked vehicles shall be permitted.
 - C. Motor vehicle rental and leasing establishments.
 - D. Motor vehicle parts and supplies sales.
 - E. Motor vehicle washing facilities.
 - F. Motor vehicle fuel services.
 - G. Any other motor vehicle oriented use as permitted by the Board of Zoning Appeals.
 - H. Boat sales, repair and service. (Passed 7-1-17.)
- (13) Animal hospitals, veterinary clinics. Kennels for the display, boarding or treatment of pets and other domestic animals; provided that any structure or area used for such purposes, including pens and exercise yards, shall be located at least 100 feet from Zone I.

- (14) Commercial recreation. Including baseball fields, swimming pools, skating rinks, golf driving ranges, riding academies, and similar open-air facilities, provided that any such structure or area used for such purposes shall be located not less than 100 feet from Zone I.
- (15) Welfare uses. That is, charitable institutions not for correctional purposes, hospitals or sanitariums not primarily for contagious diseases, nor for the care of drug or liquor addicts or patients, nor for the care of the insane or feebleminded. (Passed 12-8-87.)
- (16) Mobile homes. There shall be no mobile homes in Zones I and II. Mobile homes are permitted in Zone II-A.
- (17) Manufactured homes. There shall be no manufactured homes in Zones I and II. Manufactured homes are permitted in Zones II-A.
- (18) All use of buildings, construction and alterations to structures and use of property in Zone II and Zone II-A, must comply with the Williamstown Flood Ordinance. (Passed 12-7-99.)

1313.10 PURPOSE OF INDUSTRIAL DISTRICT CLASSIFICATION.

The industrial districts established in this article are designed to promote and protect public health, safety and general welfare. These general goals include, among others, the following specific purposes:

- (a) To provide sufficient space, in appropriate locations, to meet the needs of the City's and the metropolitan area's expected future economy for all types of manufacturing and related activities, with due allowance for the need for a choice of sites.
- (b) To provide, as far as possible, that such space will be available for use of manufacturing and related activities, and to protect residences by separating them from manufacturing activities and by prohibiting the use of such space for new residential development.
- (c) To encourage manufacturing development which is free from danger of fire, explosions, toxic and noxious matter, radiation and other hazards, and from offensive noise, vibration, smoke, dust and other particulate matter, odorous matter, heat, humidity, glare and other objectionable influences, by permitting such development in areas where this Zoning Ordinance restricts the emission of such nuisances, without regard to the manufacturing products and processes involved.
- (d) To protect manufacturing related development against congestion as far as is possible and appropriate in each area, by limiting the bulk of buildings in relation to the land around them and to one another, and by providing space off public streets for parking and loading facilities associated with such activities.
- (e) To protect adjacent residential and commercial areas, and to protect the labor force in other establishments engaged in less offensive types of manufacturing and related activities, by restricting those manufacturing activities which involve danger of fire, explosions, toxic and noxious matter, radiation and other hazards, or create offensive noise, vibration, smoke and other particulate matter, odorous matter, heat, humidity, glare and other objectionable influences, to those limited areas which are appropriate therefor.

- (f) To promote the most desirable use of land and direction of building development in accord with a well-considered plan, to promote stability of manufacturing and related development, to strengthen the economic base of the City, to protect the character of the district and its peculiar suitability for particular uses, to conserve the value of land and buildings, and to protect the City's tax revenues.
(Passed 12-8-87.)

1313.11 INDUSTRIAL DISTRICT USE REGULATIONS.

(a) Purpose and Scope. It is the purpose of Zone III, Area I, to accommodate those manufacturing establishments which are either ones whose operations are relatively free of objectionable influences; or ones whose objectionable features are capable of being readily obviated or controlled by means of appropriate devices. In the interest of general health and welfare, residential and institutional uses are not permitted. Where this District abuts Zone I and Zone IA, special approval is required for manufacturing and industrial uses when located within 200 feet of Zones I and IA.

(b) Principal Permitted Uses.

- (1) The following non-manufacturing uses when located 200 feet or more from Zone I and IA boundary line:
 - A. Concrete mixing plants; sawing and planing mills.
 - B. Truck terminals, railroad freight stations and depots.
 - C. Bag, carpet and rag planing plants.
 - D. Bulk storage stations for liquid fuels, petroleum products, petroleum and volatile oils, provided that all tanks shall be located underground.
 - E. Railroad train yards, classification yards, team tracks and major freight stations.
- (2) Any other principal manufacturing uses, including assembling, altering, converting, fabricating, finishing, processing and treatment or other industrial uses, provided that they shall be located not less than 200 feet from every abutting Zone I and IA boundary line.
- (3) All use of buildings, construction, alterations to structures and use of property in Zone III must comply with the Williamstown Flood Ordinance.

(c) In Zone III, Area II, all parts of (a) and (b) shall apply except that 200 feet shall be changed to 30 feet. (Passed 2-20-07.)

**ARTICLE 1317
General Provisions**

1317.01	Provisions of Zoning Ordinance declared to be minimum requirements.	1317.03	Separability.
		1317.04	Conflicting ordinance.
1317.02	Planning Commission.	1317.05	Effective date.

1317.01 PROVISIONS OF ZONING ORDINANCE DECLARED TO BE MINIMUM REQUIREMENTS.

In their interpretation and application, the provisions of this Zoning Ordinance shall be held to be minimum requirements, adopted for the promotion of the public health, safety, morals, or general welfare. Wherever the requirements of this Zoning Ordinance are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions or covenants, the most restrictive, or that imposing the higher standard, shall govern.
(Passed 12-8-87.)

1317.02 PLANNING COMMISSION.

The Williamstown Planning Commission, for the purpose of this Zoning Ordinance, shall be referred to as the Planning Commission. The Commission shall:

- (a) Establish such rules and procedures as are necessary to the performance of its functions under the provisions of this Zoning Ordinance;
- (b) Study and report on all proposed amendments to this Zoning Ordinance, review annually this Zoning Ordinance and, on the basis of such review, suggest amendments thereto. (Passed 12-8-87.)
- (c) The Planning Commission shall also serve in an advisory capacity to the Mayor and City Council and have any additional powers as authorized by the provisions of West Virginia Code Chapter 8A, Article 2, Section 11, or as otherwise specifically set forth in these Ordinances.

1317.03 SEPARABILITY.

Should any section or provision of this Zoning Ordinance be declared to be unconstitutional or invalid, such decision shall not affect the validity of the Zoning Ordinance as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.
(Passed 12-8-87.)

1317.04 CONFLICTING ORDINANCE.

All ordinances or parts of ordinances in conflict with this Zoning Ordinance, or inconsistent with the provisions of this Zoning Ordinance, are hereby repealed to the extent necessary to give this Zoning Ordinance full force and effect.
(Passed 12-8-87.)

1317.05 EFFECTIVE DATE.

The effective date of this Zoning Ordinance shall be the 4th day of January 1988.
(Passed 12-8-87.)

**ARTICLE 1321
Supplemental Regulations**

**1321.01 Gambling establishments;
 video lottery.**
1321.02 Exotic entertainment.

1321.03 Off-street parking lots.
**1321.04 Parking and storing
 recreational vehicles.**

1321.01 GAMBLING ESTABLISHMENTS; VIDEO LOTTERY.

(a) The use of any building or structure which includes the existence and/or establishment of any form of gambling or game of chance, including the so-called "video lottery" as licensed and authorized by the State of West Virginia, shall be subject to the following limitations:

- (1) Such uses shall not be located within 1000 horizontal feet, property line to property line by a straight line measurement, of any other property in which any form of gambling, game of chance and/or video lottery is played, or any church, school, playground, park, recreational area, hotel, library, state highway interchange or corridor or any other state facility.
- (2) That one parking space be required for each video lottery machine on premises, in addition to any other parking required in accordance with ordinances adopted by the City related to off street parking.
- (3) That there has been compliance with all other applicable ordinances and regulations of the City and applicable regulations and statutes of the State of West Virginia.

(b) It shall be unlawful to hereafter establish any business or entity in which any form of gambling, game of chance, and/or "Video lottery" is upon the premises if the proposed location is within 1000 feet of any other location at which any such gambling, game of chance, and/or "video lottery" is in existence.

(c) The Planning Commission of the City of Williamstown may waive the spacing provisions as set forth above if the following findings are made:

- (1) That the proposed use will not be contrary to the public interest or adversely affect the value, use or enjoyment of nearby property, and that the spirit and intent of this section will be observed.
- (2) That the proposed use will not enlarge or encourage the development of a district or geographical area in which there is a proliferation of gambling and/or video lottery.

- (3) That there will be compliance with the parking provisions of this section and any other off street parking ordinance adopted by the City which is applicable.
- (4) That there has been compliance with all other applicable ordinances and regulations of the City of Williamstown and applicable statutes and regulations of the State of West Virginia.

(d) The provisions hereof shall not be deemed applicable to any business location in existence as of the date of the adoption of this section. For the purpose of this section, "Business Location" shall be deemed to mean any location at which any form of gambling, game of chance, or "video lottery" was in operation as of the effective date of the adoption of the original ordinance on September 16, 2003 so long as said use remains in continuous and uninterrupted use from and after September 16, 2003 under the same ownership.
(Passed 7-3-07.)

1321.02 EXOTIC ENTERTAINMENT.

No person or entity may operate or conduct a business which offers "exotic entertainment" as such term is defined in West Virginia Code Chapter 7, Article I, Section 3ii (a) in any of the following Zones within the City of Williamstown:

- (a) ZONE I - Residential.
- (b) ZONE IA - Residential.
- (c) ZONE III - Industrial.
- (d) Within those portions of Zones II and IIA (Commercial) as shown and designated upon a zoning map attached hereto and incorporated herein by reference. Such portions of Zones II and IIA in which businesses offering "exotic entertainment" are prohibited are marked and designated as Zones II-X and IIA-X respectively.
(Passed 6-4-02.)

1321.03 OFF-STREET PARKING LOTS.

(a) Parking spaces for community facilities in residentially zoned districts and for prior non-conforming commercial facilities in residentially zoned districts may be located on zoning lots or within two hundred (200) feet of the zoning lot for the use with which they are affiliated when authorized as a special exemption of the Planning Commission; provided, however, that no special exemption shall be issued unless the following requirements shall be met:

- (1) All parking lots shall be paved with asphalt or concrete surface;
- (2) A four (4) foot wide sidewalk shall be provided adjacent to the public way(s). Such sidewalk shall be constructed to the requirements of the City paving specifications;
- (3) The parking spaces shall be subject to the yard setbacks required within the residential zone;
- (4) A green space, a minimum of five (5) feet in width, shall be required around the perimeter of the parking area;
- (5) A four (4) inch curb shall be required on the inside perimeter of the green space, except for the entrances and exits;
- (6) Entrances and exits shall be paved up to and adjoining the existing street. If the existing street is not paved, the entrances and exits shall be paved up to the City right-of-way;
- (7) Parking lots shall be effectively screened by a privacy barrier on each side which adjoins a residential property. Such barrier shall meet the height requirements for fences in Zone I;

- (8) Any lighting used to illuminate the parking area shall be arranged to reflect light away from adjoining premises in the residential zone; and
- (9) A public hearing shall be held on the issue of issuance of the special exemption within thirty days notice from the Planning Commission to adjacent property owners.

(b) Whenever off-street parking is requested, and the Zoning Ordinance is silent as to the specific requirements thereof, the Planning Commission shall determine such matters as it deems reasonable and necessary. (Passed 10-1-96.)

1321.04 PARKING AND STORING RECREATIONAL VEHICLES.

Any person who is the owner or lessee of property situate in Zones I and II as defined in the Zoning Ordinance of the City of Williamstown may store upon his property or leased property, not more than two (2) recreational vehicles herein defined in such manner and under such circumstances as herein set forth on the following terms and conditions:

- (a) That said trailer or trailers are to be used by the owner or lessee thereof and his immediate family solely for personal camping or recreational purposes away from the City of Williamstown and only stored on such property in Zones I and II in the City of Williamstown between such camping or recreational trips and uses by the owner or lessee of such recreational vehicle; such recreational vehicle is defined as any self-propelled or towed vehicle qualified for licensing in the State of West Virginia used for camping, recreational purposes and/or for the transporting of pleasure watercraft.
- (b) That no more than two (2) such recreational vehicles are to be stored on any one tract of land in Zones I and II of the City of Williamstown.
- (c) That while said trailer or trailers are so stored on such property in Zones I and II in the City of Williamstown, they are not to be connected in any manner with any public or private utility, including but not limited to a water utility, an electric utility, a sewer utility and a gas or propane gas utility.
- (d) That during the periods the trailer or trailers are so stored upon such property within Zones I and II, such trailer or trailers are not to be occupied for residential purposes or to be used for the housing of any person or providing sleeping accommodations for any person.
- (e) That when such recreational vehicle or vehicles are so stored on said premises, they shall be parked as far from the street line as the design of the premises will allow.
- (f) Any violations of the provisions hereof shall be subject to the penalties as provided in the Zoning Ordinance of the City of Williamstown.

ARTICLE 1323
Junk and Inoperable Vehicles

1323.01	Purpose.	1323.04	Penalties/enforcement.
1323.02	Definitions.	1323.05	Severability.
1323.03	Keeping or storage of inoperable or junk vehicle or junk motor vehicle.	1323.06	Repeal.

1323.01 PURPOSE.

The purpose of this article is to:

- (a) Promote and protect the health, safety and general welfare of the residents and property owners in the City.
- (b) Limit the outdoor storage of junk and inoperable vehicles and motor vehicles for the purpose of protecting property values and the health, safety and residents of the City.
- (c) Protect the City's natural resources.

1323.02 DEFINITIONS.

For the purpose of this article, the following terms shall have the following meanings:

- (a) "Inoperable Vehicle" or "Inoperable Motor Vehicle" means any or all of the following:
 - (1) Any vehicle or motor vehicle which is dismantled, in whole or in part, or which is not mechanically operable as a result of a defect, malfunction or state of disrepair.
 - (2) Any vehicle or motor vehicle which cannot be legally operated on public streets or highways by reason of lacking the equipment required by the laws of the State of West Virginia.
 - (3) Any vehicle or motor vehicle which is not capable of being licensed for operation upon the public streets and highways under the provisions of the laws of the State of West Virginia.
- (b) "Junk Vehicle" or "Junk Motor Vehicle" means any or all of the following:
 - (1) Any vehicle or motor vehicle which by reason of damage resulting from an accident, dismantling, disrepair or other cause that is incapable of being propelled under its own power.

- (2) Any vehicle or motor vehicle that is unsafe for operation in the manner for which it was designed, manufactured or modified by reason of damage resulting from an accident, dismantling, disrepair or other cause.
- (3) Any vehicle or motor vehicle that is incapable of being operated in the manner for which it was designed, manufactured or modified by reason of its inability to comply with any code, regulation or statutes established by the State of West Virginia governing the operation of such vehicle or motor vehicle.
- (4) Any vehicle or motor vehicle which has been so damaged or dismantled so as to be a total loss.
- (5) Any component part of a vehicle or motor vehicle, including tires and wheels, which by reason of disrepair, damage or other cause is incapable of functioning or being operated in the manner for which it was designed, manufactured or modified.
- (c) The definition of "Inoperable Vehicle", "Inoperable Motor Vehicle", "Junk Vehicle" or "Junk Motor Vehicle" does not include any of the following:
 - (1) A vehicle or motor vehicle which is mechanically operable, but unlicensed because it is owned, leased or co-signed to a duly licensed and lawful new or used car dealer, if the motor vehicle is located on premises under the control of the car dealer for the purpose of sale or delivery.
 - (2) A vehicle or motor vehicle which is stored on the premises of a duly licensed and law vehicle or motor vehicle repair shop, provided that any vehicle or motor vehicle that is stored on the premises of the repair shop and which is subject to this provision may be stored outdoors, in an unenclosed area, for not more than 7 total days during the course of repairing such vehicle or motor vehicle. All other vehicles and motor vehicles stored on the premises of the repair shop in excess of 7 total days shall be stored entirely within a building.

1323.03 KEEPING OR STORAGE OF INOPERABLE OR JUNK VEHICLE OR JUNK MOTOR VEHICLE.

(a) No person or entity shall accumulate, store or place, or permit the accumulation, storage or placement, of any inoperable or junk vehicle or junk motor vehicle in the City of Williamstown for more than 30 days during any calendar year on a lot or parcel, unless such inoperable or junk vehicle or junk motor vehicle is stored in a fully enclosed lawful garage or other building that completely shields the inoperable or junk vehicle or junk motor vehicle from view on all sides.

(b) This provision shall not prohibit the outdoor storage of bona fide farm equipment, farm implements, or farm vehicles; provided such items are being used for ongoing farm operations and are otherwise in compliance with any and all other applicable City ordinances.

1323.04 PENALTIES/ENFORCEMENT.

(a) Any person or entity violating any of the terms or provisions of this article shall, upon conviction of a first offense, be punished by a fine not to exceed \$500.00. Any person or entity violating any of the terms or provisions of this Order shall, upon conviction of a second or subsequent offenses, be punished by a fine not to exceed \$1,000.00. Each 30 day period any person or entity shall violate any of the terms or provisions hereof shall constitute a separate offense. For purposes of this article, a determination of whether a violation has occurred for more than 30 days does not require all or any portion of said days to be consecutive.

(b) A violation of the terms or provisions of this article by any person or entity is hereby declared to be a nuisance. Accordingly, the City of Williamstown, in addition to the penalties set forth in paragraph (a) above, may seek injunctive relief against the violator in the Circuit Court of Wood County, West Virginia, in order to abate the violation or to seek such other relief as provided by law.

1323.05 SEVERABILITY.

In the event that any provision of this article is held to be invalid, such holding shall not affect the validity or enforceability of any of the remaining provisions of this article.

1323.06 REPEAL.

All resolutions or ordinances, and parts thereof, which are in conflict, in whole or in part, with any of the provisions of this article are hereby repealed.

ARTICLE 1325
Off-Street Parking Requirements

1325.01	Number of parking spaces.	1325.03	Application.
1325.02	Location of parking spaces.	1325.04	Appeal to Board of Zoning Appeals.

1325.01 NUMBER OF PARKING SPACES.

Any building or other structure erected, and used and any lot used or occupied for any of the following purposes shall be provided with minimum improved off-street parking spaces as set forth herein, together with adequate driveways or other improved means of access to and from a street or right of way.

- (a) Single Family and Two-Family Dwellings: Rooming Houses, Apartment Houses, Apartment Hotels and Any Other Type of Dwelling or Rooming Unit: Two (2) all weather parking spaces per unit.
- (b) Community Facilities. For any of the following uses, the required parking spaces shall be all weather.
 - (1) Church, gymnasium, auditorium, assembly room, stadium or other similar place of public or private assembly: One (1) parking space for every three seats provided for assembly; off-street parking facilities required for churches shall be reduced by fifty percent (50%) where such churches abut, either directly or cross a street or alley, a non-residence district or are located within a non-residence district, or abut a parking lot serving a business or industrial use in a non-residence district.
 - (2) Public and private elementary school and junior high school: One (1) parking space for each full-time employee plus one (1) space for every four seats for assembly.
 - (3) Public and private senior high school. One (1) space for each full-time employee, plus one (1) space for every three students and also one (1) space for every three seats for assembly.
 - (4) Colleges and similar adult educational facilities: One (1) space for each full-time employee and one (1) space for every two students plus one (1) space for every three seats for assembly.

- (5) Hospitals: One (1) space for each bed plus one (1) space for each employee normally present on any single weekday shift. If the facility also provides outpatient services, additional parking shall be provided for each staff member on duty at any one time plus not less than ten (10) spaces for patients.
 - (6) Community Center, Library, Museum, or other similar public place: One (1) parking space for every one hundred fifty square feet of floor area in public use.
 - (7) Institutional Home: One (1) parking space for every two beds plus one (1) space for each full-time employee.
 - (8) Club: One (1) parking space for every forty square feet of floor area in public use, except that any such club or organization which has on the premises video lottery machines or any other games of chance shall be subject to the parking requirements in subsection (c) hereof. In addition to requirements set forth, the Zoning Ordinances of the City of Williamstown relating to establishments at which any form of gambling is permitted, also apply.
 - (9) Parks: One (1) parking space for every one thousand square feet of improved park area.
 - (10) Convalescent home, rest home or skilled nursing facility: One (1) parking space for every four beds plus one (1) space for each week day shift employee. (From the provisions requiring additional spaces based upon building space deleted by amendment.)
 - (11) Motel, hotels, lodges, bed and breakfasts: One (1) parking space per guest room, and one space for every two employees. These spaces shall be in addition to those required in the previous section for restaurants or assembly usage.
- (c) Commercial Facilities:
- (1) For any of the following uses, the required parking spaces shall be all-weather and shall further be subject to the following:
 - A. All parking lots shall be paved with asphalt or concrete.
 - B. A four (4) foot sidewalk shall be provided adjacent to the public way. Such sidewalk shall be four inches thick and when crossing a driveway, six inches thick. The sidewalk shall also contain reinforcement wiring.
 - C. A green space, a minimum of five (5) feet in width shall be required around the perimeter of the parking area.
 - D. A four (4) inch curb shall be required on the inside perimeter of the green space except for the entrances and exits.
 - E. Entrances and exits shall be paved up to and adjoining the existing street. If the existing street is not paved, the entrances and exits shall be paved up to the City right of way.
 - F. Parking lots shall be effectively screened by a privacy barrier on each side which adjoins a residential property. Such barriers shall meet the height requirements for fences in Zone I.
 - G. Any lighting used to illuminate the parking area shall be arranged to reflect light away from adjoining properties.
 - H. Whenever off-street parking is requested and the Zoning Ordinance is silent as to the specific requirements thereof, the Planning Commission shall determine such requirements as it deems reasonable and necessary.

- (2) Parking requirements for commercial facilities shall be as follows:
- A. Retail store or shop; department store or supermarket: One (1) parking space for every five hundred square feet of store sales floor space.
 - B. Restaurant, bar, tavern, café or tea room: One (1) parking space for every three seats and one (1) space for every two employees plus one additional parking space for each video lottery machine on premises. In addition to requirements set forth, the Zoning Ordinances of the City of Williamstown relating to establishments at which any form of gambling is permitted, also apply.
 - C. Indoor theater: One (1) parking space for every four seats.
 - D. Office building or wholesale establishment open to the general public: One (1) parking space for every three hundred square feet of floor area.
 - E. Laboratory: One (1) parking space for each day employee and three parking spaces for visitors.
 - F. Any establishment located in an industrial or manufacturing zoning district: One (1) parking space for each employee, plus visitor and customer parking space as determined by the Planning Commission. Parking space requirements or plans on shift operations shall be determined by the Planning Commission. Off street parking shall also be provided for all company trucks and for trailers awaiting pick-up or arriving after plant closing time.
 - G. Other commercial buildings: One (1) parking space for every two hundred square feet of floor area or fraction thereof, except when otherwise authorized as a special exception consistent with the requirements set forth herein for comparable establishments.
 - H. Open areas used for commercial purposes: One (1) parking space for every one thousand square feet of area, or fraction thereof.
 - I. Shopping centers: The minimum number of parking spaces shall meet the requirements of parking requirements for shopping centers by the Urban Land Institute.
 - J. Premises with Video Lottery Machines on Premises: One parking space for every video lottery machine on premises. In addition to requirements set forth, the Zoning Ordinances of the City of Williamstown relating to establishments at which any form of gambling is permitted also apply.
- (d) Collective Provision. Where permitted by the applicable district use regulations nothing in this section shall be construed to prevent provisions of collective off-street parking facilities for two or more buildings or uses, exclusive of facilities required for dwelling units. In cases of collective use, the required total of such off-street parking space supplied collectively shall be: not less than eighty-five (85) percent of the sum of the requirements of the various uses computed separately; and not less than the largest amount required for any of the uses computed separately; provided further that the applicable district use regulations shall be complied with.
- (e) Other Uses Not Specifically Mentioned. Whenever off-street parking is required for any use under this Ordinance, and this Ordinance is silent as to the specific requirements thereof, the Planning Commission shall determine the number of such spaces as it deems reasonable and necessary.

- (f) **Variances.** Should the Planning Commission determine that strict application of the parking requirements herein set forth cause an unreasonable hardship to the property owner, the Planning Commission may grant a variance from the provisions hereof so long as any such variance would not be contrary to the public interest or otherwise be contrary to the purpose and intent of this Ordinance. (Passed 12-2-08.)

1325.02 LOCATION OF PARKING SPACES.

The location of parking spaces required in this section shall be subject to the following requirements:

- (a) **Community Facilities.** Parking spaces for community facilities in residentially zoned districts and for prior non-conforming commercial facilities in residentially zoned districts may be located on zoning lots or within two hundred feet of the zoning lot for the use with which they are affiliated when authorized as a special exception by the Planning Commission; provided, however, that no such special exception shall be issued unless the following requirements shall be met:
- (1) The parking spaces shall be all weather.
 - (2) The parking spaces shall be subject to the following yard set backs: front, no closer to the front lot line than the front of the adjacent home; rear-none; sides-five feet;
 - (3) The parking spaces shall be lotscaped to minimize their impact on the surrounding neighborhood as the Planning Commission shall determine.
 - (4) Adequate access to the parking spaces shall have been obtained pursuant to other applicable ordinances of the City; and
 - (5) A public hearing has been held on the issue of the issuance of the special exception with thirty day notice from the Planning Commission to adjacent property owners.
- (b) **Multi-Family or Commercial Facilities.** Parking spaces for multi-family residential facilities or commercial facilities in residentially zoned or commercially zoned districts, respectively, shall be located on the same zoning lot as the use with which they are affiliated; or within two hundred feet of the zoning lot when authorized as a special exception by the Planning Commission.
- (c) **Reduction of Facility:** Off-street parking facilities existing at the effective date of this Zoning Ordinance shall not subsequently be reduced to an amount less than required hereunder for a similar new building or new use. Off-street parking facilities provided to comply with the provisions of this Zoning Ordinance shall not subsequently be reduced below the requirements of this Zoning Ordinance.
- (d) **Mobile Home and House Trailer Parks.** Each mobile home park shall provide parking spaces required by ordinances of this City or as otherwise determined by the Planning Commission. (Passed 12-2-08.)

1325.03 APPLICATION.

(a) **Existing Facilities Exempt.** Except as provided in Section 1325.02(c) above, these off-street parking requirements shall not be deemed to apply to any building or other structure in use as of the effective date of the adoption of this Ordinance, nor shall these requirements apply to any such building or other structure so long as the same is in continuous and uninterrupted use by the same ownership and/or business entity.

- (1) In the event the ownership and/or business use of any such building or other structure is discontinued or changed, said building or other structure shall continue to be exempt from these off-street parking requirements so long as the continued use of said building or other structure is the same or substantially similar to that which was in existence as of the effective date of this section.

- (2) In the event the ownership and/or business use of any building or other structure is discontinued, and the subsequent use of said building or other structure is not the same or substantially similar to the use of the same in effect as of the date of the adoption of this Ordinance, then the off-street parking requirements for such future use of said building or other structure shall be determined by the Williamstown Planning Commission.

(b) "Subsequent Use Defined". In the event the use of a building or other structure is discontinued for a period of thirty days or more, any use of the building thereafter shall be deemed a "subsequent use".

(c) Application of This Ordinance to Subsequent Uses.

- (1) In the event an existing use of a building or other structure is changed to a subsequent use as defined in subsection (a) above, said building or other structure shall continue to be exempt from the off-street parking requirements set forth in this Ordinance so long as the subsequent use of said building or other structure is the same or substantially similar to the previous use.
- (2) In the event the existing use of any building or other structure is changed to a subsequent use as defined in subsection (a) above, and the subsequent use of said building or other structure is not the same or substantially similar to its previous use, then the off-street parking requirements for such subsequent use of said building or other structure shall be determined by the Williamstown Planning Commission.
(Passed 12-2-08.)

1325.04 APPEAL TO BOARD OF ZONING APPEALS.

Any determination made by the Building Commissioner, any other administrative officer of the City, or the Williamstown Planning Commission may be appealed by any property owner to the Board of Zoning Appeals.

(Passed 12-2-08.)

CHAPTER THREE - Subdivision Regulations

- Art. 1351. General Regulations.
- Art. 1355. Procedures.
- Art. 1359. Required Improvements.
- Art. 1363. Design and Construction Standards.
- Art. 1367. Plan Requirements.
- Art. 1371. Modifications and Variances.
- Art. 1375. Definitions.
- Appendices

**ARTICLE 1351
General Regulations**

1351.01 Legislative authority.
1351.02 Application.

1351.03 Purpose.
1351.04 Short title.

1351.01 LEGISLATIVE AUTHORITY.

The City of Williamstown, West Virginia, has the power and authority to approve plans for land development within its corporate limits by virtue of an ordinance adopted by the City Council on August 19, 2008, pursuant to the provisions of Article V, Urban and Rural Planning and Zoning, Chapter 8 of Code of West Virginia.
(Passed 8-19-08.)

1351.02 APPLICATION.

(a) No subdivision or further development of any lot, tract, or parcel of land shall be effected; no street, sanitary sewer, storm sewer, water main or other facilities in connection therewith shall be laid out, constructed, opened or dedicated for public use and travel, or the common use of occupants of buildings abutting thereon, except in strict accordance with the provisions of these regulations.

(b) No persons, firm or corporation, proposing to create or having created a development within the jurisdictional limits of these regulations shall make any contract for the sale of, or shall offer to sell said development or any part thereof, or shall proceed with any construction work on the proposed development, including grading, before obtaining from the Commission, the final approval of the proposed development.

(c) All plans for developments shall be submitted to the City Planning Commission and approved by it before they shall be recorded.

(d) The provisions contained herein shall apply to all land within the limits of the City of Williamstown. (Passed 8-19-08.)

1351.03 PURPOSE.

These regulations will be adopted in order to create conditions favorable to the health, safety, morals and general welfare of the citizens of the City of Williamstown through the provision of regulations that will insure the harmonious and orderly development of the community.

(Passed 8-19-08.)

1351.04 SHORT TITLE.

These regulations shall be known and may be cited as "The Land Development Regulations of the City of Williamstown."

(Passed 8-19-08.)

ARTICLE 1355
Procedure

1355.01 Submission of plans.
1355.02 Preliminary plan.

1355.03 Final plan.
1355.04 As-built drawings.

1355.01 SUBMISSION OF PLANS.

(a) Preliminary and final plans for all proposed subdivisions and further development of land lying within the City limits shall be filed with the Planning Commission for approval.

(b) An informal preplanning meeting between the Developer, including his representatives, and the designated representatives of the Commission shall be held prior to completing an application and the preparation of any plans, except as further noted herein. The Developer may wish to prepare, or cause to prepare, a sketch plan for general discussion and for the purpose of establishing, in advance if possible, the extent to which the proposed development may conform with the requirements of these regulations.

(c) The Developer shall utilize and fully complete, the application as provided by the Commission, for submission with the preliminary plan.

(d) Subdivision or development plans, with supporting data, submitted to the Planning Commission will be considered at the Commission's next scheduled meeting, provided that they are received at least thirty (30) calendar days in advance of said meeting and at least thirty (30) days after the date of the preplanning meeting. The date of submission shall be the date of the next Planning Commission meeting after receipt by the Commission.

(e) The initial plan filed with the Commission for review shall be considered the official preliminary plan. However, the Commission may proceed to final action at the first consideration of a plan for a small development containing no new streets, if the plan and supporting data comply with all of the requirements for the final plans.

(f) The Commission will check the submitted information for conformity with all City ordinances, along with the principles, standards and requirements hereinafter set forth. All subdivision or development plans must be approved by the City Engineer.

(g) Upon approval of the preliminary plan, the Commission shall notify the developer as to the amount of performance guaranty required from the developer to ensure the sufficient completion of the proposed improvements. This performance guaranty shall be in the form of a performance bond executed by the developer and a corporate bonding company licensed to transact such business in West Virginia and named on the current list of "Surety Companies Acceptable on Federal Bonds" as published in the Treasury Department Circular 570, to the City of Williamstown. The expense of these bonds shall be borne by the developer. If at any time a surety on any such bond is declared a bankrupt or loses its right to do business in this State or is removed from the list of Surety Companies accepted on Federal bonds, the developer shall within ten (10) days after date of occurrence, substitute an acceptable bond (or bonds) in such form and sum and signed by such other surety or sureties as may be satisfactory to the Commission. The premiums on such bond shall be paid by the developer. Other forms of performance guaranty may be considered and accepted by the Commission, at their discretion, with approval of the Common Council of the City of Williamstown. The performance guaranty shall remain in effect until explicitly released by the Commission. This release shall be effected by the submission of two (2) sets of acceptable as-built drawings by the developer to the Commission and the final inspection and acceptance of the type, quantity and quality of the improvements by the Commission.

(Passed 8-19-08.)

1355.02 PRELIMINARY PLAN.

(a) Preliminary plans and supporting data shall comply with the provisions of Article 1367.

(b) Six (6) copies of the preliminary plan and application shall be submitted to the Commission by the applicant. The preliminary plan shall be clearly marked "PRELIMINARY".

(c) Fee of \$500 dollars to defray the cost of review shall be paid (to order of the City of Williamstown) at filing of the preliminary plan.

(d) The Commission shall notify adjoining property owners in writing of any proposed subdivision. Property owners shall be given ten (10) days from date of letter in which to make any objections to the proposed development.

(e) Within forty (40) days after the meeting at which the preliminary plan is reviewed, the Commission shall notify the developer of the changes and modifications, if any, which must be incorporated in the final plan before it shall be approved.

(f) Approval of the preliminary plan, subject to conditions, revisions and modifications as stipulated by the Commission shall constitute conditional Commission approval of the development as to the character and intensity of the proposal and the general layout and approximate dimensions of streets, lots, and other proposed features.

(Passed 8-19-08.)

1355.03 FINAL PLAN.

(a) A final plan with supporting data shall be submitted to the Commission for final approval within one (1) year after Commission action on the preliminary plan; provided, that an extension of time may be granted by the Commission upon written request. Otherwise, the plan submitted shall be considered as a new preliminary plan.

(b) The final plan shall conform in all important respects with the preliminary plan as previously reviewed by the Commission and shall incorporate all modifications and revisions specified by the Commission in its conditional approval of the preliminary plan. Otherwise, the plan shall be considered as a revised preliminary plan.

(c) The Commission may permit submission of the final plan in sections each covering a portion of the entire proposed subdivision or development as shown on the preliminary plan.

(d) Upon the official submission of a final plan for consideration, the Commission shall give notice that a public hearing will be held upon such plan within sixty (60) days. Public notice of the hearing shall be advertised in a newspaper of general circulation in the City at least ten (10) days before such hearing. The developer shall bear the cost of this advertisement. A period of fifteen (15) days after the date of public hearing shall be provided for the submission of public comments.

(e) The final plan and supporting data shall comply with the provisions of these regulations. Failure to do so shall be cause for tabling the plan.

(f) Six (6) copies of the final plan with supporting data shall be submitted to the Commission by the developer. The final plan shall be clearly labeled "FINAL".

(g) Within forty-five (45) days after the end of the public comment period, the Commission shall notify the developer, in writing, of its approval or disapproval. Reasons for disapproval shall be explicitly stated.

(h) Within thirty (30) days after final approval, the developer must file for recording a copy of the final plan, or sections thereof, bearing the approval of the Commission. If the final plan is not recorded within such period, the Commission's approval shall expire and become null and void.

(i) The copy of the final plan filed for recording in the office of the County Clerk shall be a clear and legible white print, in accordance with the requirements of said office.
(Passed 8-19-08.)

1355.04 AS- BUILT DRAWINGS.

Prior to the release of a performance guaranty, the developer shall submit two (2) sets of as-built drawings to the Commission. The record drawings shall accurately represent all improvements as installed in the field.
(Passed 8-19-08.)

ARTICLE 1359 Required Improvements

1359.01	General requirements.	1359.07	Sidewalks.
1359.02	Monuments and markers.	1359.08	Street lighting.
1359.03	Streets.	1359.09	Areas subject to periodic flooding.
1359.04	Public water supply.	1359.10	Procedure for installation of required improvements.
1359.05	Public sanitary sewer system.		
1359.06	Storm drainage.		

1359.01 GENERAL REQUIREMENTS.

(a) Minimum improvements and construction standards required of all developments shall be set forth in this article and in Article 1363, and shall further be in accordance with the prevailing standards as established by the City Council upon advice of the Planning Commission and the Commission Engineer. Alternate improvements may be permitted if the Commission deems them equal or superior in performance characteristics to those specified.

(b) Additional or higher type improvements may be required in specific cases where the Commission believes it necessary to create conditions essential to the health, safety, morals and general welfare of the citizens of the City of Williamstown.

(c) The developer shall be responsible for paying at his own expense all maintenance costs, permit fees, use charges and all other costs associated with the improvements until such date of the final acceptance by the Commission and/or City.

(Passed 8-19-08.)

1359.02 MONUMENTS AND MARKERS.

Monuments shall be placed so that the scored or marked point shall coincide exactly with the intersection of the lines to be marked, and shall be set so that the top of the monument or marker is level with the surface of the finished grade:

(a) Monuments shall be set at the intersection of all lines forming angles in the boundary of the subdivision. Monuments shall be of the following types:

(1) Concrete 5" x 5" x 3' - 0" long with 1/2" round brass pin in the center of the top surface.

- (2) Two inch round galvanized 3' - 0" long pipe with a brass cap and a punch hole for center.
- (3) Four inch round pipe, minimum length 3', filled with concrete having a ½" round brass pin in the center of the top surface.
- (b) Markers shall be set at the beginning and ending of all curves along street property lines, at all points where lot lines intersect curves, either front or rear; at all angles in property lines of lots; at all lot corners. Markers shall conform to the current requirements of right-of-way markers as contained in the WVDOT Standard Specifications. (Passed 8-19-08.)

1359.03 STREETS.

(a) Streets (and alleys where provided) shall be graded, surfaced and improved to the grade and dimensions shown on plans, profiles and cross-sections submitted by the developer and approved by the Commission. Streets shall provide direct access to all individual parcels or lots in the proposed development.

(b) Proposed streets that connect to, or are a continuation of an existing street or roadway, shall conform to the characteristics of the existing street or roadway (i.e. pavement type and width, shoulder type and width, street appurtenances, etc.), if these characteristics exceed the requirements of Article 1363. The Commission shall possess the authority to waive conformance to any existing street characteristic which it deems unnecessary or not in the public's best interest.

(c) All streets shall be constructed with curbs and gutters conforming to the requirements of Article 1363.

(d) Guardrails adjacent to pavement edges shall be provided in all areas deemed appropriate by the Commission Engineer. (Passed 8-19-08.)

1359.04 PUBLIC WATER SUPPLY.

The development shall be provided with a complete water distribution system, including public fire protection facilities and providing a connection and meter assembly for each lot. Drawings, sufficient to determine the recommended hydrant spacing, shall be submitted by the developer to the Insurance Services Office for their review and recommendations. These recommendations shall be submitted to the Commission as part of the preliminary plan. (Passed 8-19-08.)

1359.05 PUBLIC SANITARY SEWER SYSTEM.

Sanitary sewers shall be installed to adequately serve all lots with connections to the public system. (Passed 8-19-08.)

1359.06 STORM DRAINAGE.

(a) Storm drainage pipes and structures shall be constructed to provide adequate drainage for all aspects of the development. All streets shall be provided with a storm drainage system consisting of inlet structures with connecting and outlet pipes.

(b) Stormwater detention facilities may be required when:

- (1) The property to be developed requires a major site plan or major subdivision.
 - (2) It is determined by the Commission that the receiving drainage system or outfall is inadequate to accept the created runoff.
 - (3) The Commission deems it in the best interest of the public.
- (Passed 8-19-08.)

1359.07 SIDEWALKS.

Portland Cement Concrete Sidewalks shall be provided adjacent to all streets and cul-de-sacs. All lots or parcels shall be provided direct access to a public sidewalk without crossing an adjacent parcel or public way. (Passed 8-19-08.)

1359.08 STREET LIGHTING.

The developer shall install or cause to be installed, at his own expense, street lighting facilities for all areas of the development. The developer shall pay the cost of operating the streetlights until such date as the final acceptance of the development improvements by the Commission and/or City. (Passed 8-19-08.)

1359.09 AREAS SUBJECT TO PERIODIC FLOODING.

The construction of streets or structures shall be prohibited in areas which the Commission deems to be subject to periodic flooding unless the developer provides adequate flood protection measures. These measures must be accepted by the Commission Engineer and be approved by the Planning Commission. (Passed 8-19-08.)

1359.10 PROCEDURE FOR INSTALLATION OF REQUIRED IMPROVEMENTS.

(a) Improvements to be Provided by Developer. In all cases, the developer shall be responsible for the installation of all required improvements under supervision of the Commission Engineer and in the manner specified herein.

(b) Method of Providing Improvements. No final plan shall be approved by the Commission until provision has been made for the proper installation of required improvements in either of the following ways:

- (1) Performance bond. The developer shall post with the Commission a certified performance bond made out to the City of Williamstown in an amount sufficient to cover the full cost of installing the required improvements as estimated by the Commission Engineer. The bond shall conform to the requirements of Article 1355.
- (2) Construction of improvements. The developer shall install the required improvements in accordance with the standards and specifications contained in Article 1363 and with the final plan submitted to the Commission. The developer shall obtain a certificate from the Commission Engineer stating that all improvements have been so installed.

(c) Maintenance Bond. In submitting the final plan to the Commission, the developer shall submit a maintenance bond running in favor of the City of Williamstown that will guarantee the maintenance and repair of the streets in the subdivision for one (1) year after the construction thereof has been approved by the Commission Engineer. This bond shall conform to the requirements of Article 1355. (Passed 8-19-08.)

ARTICLE 1363
Design and Construction Standards

<u>DESIGN STANDARDS</u>		<u>CONSTRUCTION STANDARDS</u>	
1363.01	Land requirements.	1363.12	Streets.
1363.02	Streets.	1363.13	Public water system.
1363.03	Public water supply.	1363.14	Sanitary sewer facilities.
1363.04	Sanitary sewer facilities.	1363.15	Storm drainage facilities.
1363.05	Storm drainage facilities.	1363.16	Sidewalks.
1363.06	Sidewalks.	1363.17	Streetlighting.
1363.07	Streetlighting.		
1363.08	Lots and lot sizes.		
1363.09	Easements.		
1363.10	Blocks.		
1363.11	Community facilities and comprehensive plan requirements.		

DESIGN STANDARDS

The design standards listed below, and in Table 1, shall be incorporated in all proposed plans. All improvements shall conform with the requirements of all applicable local, state and federal regulations. (Passed 8-19-08.)

1363.01 LAND REQUIREMENTS.

Land shall be suited to the purposes for which it is to be subdivided or developed and be of such character that it can be used safely without danger to health or peril from flood, fire or other menace. (Passed 8-19-08.)

1363.02 STREETS.

Design standards for streets shall conform to the current requirements of Appendix A - Street Specifications. These specifications are incorporated into the regulations as Appendix A. Streets shall also conform to the typical section(s) and detail(s) shown in Appendix B. (Passed 8-19-08.)

1363.03 PUBLIC WATER SUPPLY.

(a) All portions of the public water supply system shall be designed in conformance with the current requirements of the State of West Virginia.

(b) Minimum diameter of water main shall be six (6) inch nominal. However, branch lines of two (2) inch nominal diameter will be permitted when these lines serve fewer than four (4) domestic, single-family customers and are less than three hundred (300) feet in length.

(c) The distribution system shall be designed for a maximum line velocity of five (5) feet per second unless otherwise approved by the Commission Engineer. A friction loss factor (C - Hazen Williams) of 120 shall be utilized for the design.

(d) Fire protection design flows and hydrant spacing shall be based on the recommendations or requirements of the Insurance Services Office. In no case, shall the spacing of hydrants exceed six hundred (600) feet. Auxiliary gate valves shall be installed for each hydrant.

(e) Pipe and fittings shall be of the type and class conforming to the applicable sections below. All fittings 2" and larger shall be constructed of ductile iron, unless otherwise noted herein.

- (1) Polyvinyl Chloride (PVC) pipe (SDR 21 and greater) shall generally conform to ASTM D 1784, Type 1 coupled with O-ring and integral bell joints. Distribution piping shall also conform with CS-256 for 200 psi pressure ratings (SDR 21). Pipe shall conform to all NSF standards and shall bear the NSF seal.
- (2) Polyvinyl Chloride (PVC) pipe and (SDR valve less than 20) shall conform in all respects with the requirements of AWWA Standard C900 except as further defined or modified herein. Pipe shall conform to all NSF Standards and shall bear the NSF seal.
- (3) Ductile cast iron pipe and fittings shall conform in all respects with the requirements of AWWA C151 and AWWA C111. Exterior coating for pipe and fittings shall be standard bituminous coating. Interior surface of pipe and fittings shall have cement mortar linings in accordance with AWWA C104.
- (4) Restrained-joint ductile cast iron pipe shall be as manufactured by McWane, Inc., with a Type A or F-217 joint, or approved equal.
- (5) All fittings for the above pipe shall conform in all respects with the requirements of AWWA C151 and AWWA C111 and be of mechanical-joint construction. Exterior coating of fittings shall be standard bituminous coating. Interior surface of fittings shall have cement mortar linings in accordance with AWWA Standard C104. Solid mechanical-joint sleeves shall be used when coupling straight runs of spigot-end pipe or where a bell and spigot joint is not feasible. Fittings shall utilize an F-1058 ductile iron retainer gland manufactured by McWane, Inc., or approved equal, when installed in connection with iron type pipe or when installed on PVC pipe, a grip ring and gland as provided by Romac Industries, or approved equal.
- (6) Polyethylene pipe shall conform to the requirements of AWWA C901 and ASTM D2239 with a material designation of PE3408 and an SDR of 7. PE pipe shall be furnished in two hundred foot coil lengths. Fittings shall be pack-joint style, all brass construction with retaining gasket glands as manufactured by the Ford Meter Box Co., or approved equal.

(f) Gate valves two inches and larger shall conform to AWWA Standard C509 and shall be manufactured by the Kennedy Valve Company, or approved equal. Valves two inches and larger shall have mechanical joint end connections. A valve shall be installed in each line as its junction with another main or branch line. Maximum spacing between valves in the same main or branch shall be two thousand (2,000) feet. All valves shall open counterclockwise.

(g) Hydrants shall be Model K-81A as manufactured by the Kennedy Valve Company. The hydrant shall have a 1 ½" from peak to flat pentagon operating nut, 5 1/4" valve opening and open counter-clockwise. The hydrant shall have two 2 ½" hose nozzles and one 4" pumper nozzle. Outlet nozzle threads shall be identical to the thread presently used by the Williamstown Volunteer Fire Department. Depth of bury shall be as required to meet field conditions.

(h) Blowoff assemblies shall be of the type detailed in Appendix B and be located at the terminus of all dead end lines.

(i) Air relief valves shall be of type detailed in Appendix B and shall be installed at major high points in the distribution system as determined by the Commission Engineer.

(j) Valve boxes shall be provided for all buried valves. Boxes shall be equal to Clow F-2450.

(k) Casing pipe shall be utilized at all transverse crossings of street pavement and be new, seamless, electric fused or spiral welded steel of a thickness of 0.250 inches. Pipe installed beneath railway facilities shall conform to the requirements of current AREA Specifications 1 thru 5.

(l) Service line shall be Type K seamless copper tubing conforming to the latest revision of ASTM Specification B88.

(m) Service fittings, meter box and meter settings shall be as shown in the detail located in Appendix B.

(n) Meters shall be model SRII as manufactured by Sensus Technologies, Inc., or approved equal.

(o) Tracer wire shall be installed with all non-metallic waterlines and shall be size 16 AWG THHN stranded copper cable. Test stations shall be as shown in Appendix B.

(p) All customer service lines shall be installed with a readily-accessible shut-off valve near the line's entrance to the structure.
(Passed 8-19-08.)

1363.04 SANITARY SEWER FACILITIES.

(a) A separate sewer connection shall be made for each lot or parcel within the development. The minimum nominal diameter of a service lateral shall be six (6) inches. A six (6) inch diameter cleanout extending to the finished grade shall be installed at the property line of each service. This cleanout shall include a removable, watertight plug and acceptable ductile-iron frame and cover.

(b) The minimum nominal diameter of an installed sanitary sewer main shall be eight (8) inches.

(c) Pipe and fittings shall be of the type and class conforming to the applicable sections below.

- (1) Ductile cast iron pipe and fittings shall conform in all respects with the requirements of AWWA Standards C151 and C111, respectively except as further defined or modified herein. Exterior and interior coating for pipe and fittings shall be standard bituminous coating. Mechanical joints and/or push-on joints conforming to AWWA Standard C111 shall be used, unless support thru the joint is reduced; whereas flanged joints conforming to AWWA Standard C110 shall be used.
- (2) Polyvinyl chloride pipe and fittings for non-pressure use shall conform in all respects with the requirements of ASTM Standard D3034 except as further defined or modified herein and have a Standard Diameter Ratio of 35. Joints shall be the integral bell and spigot type with a factory-installed polyurethane gasket.

(d) Manholes shall be provided at all changes of grade or alignment in the sewer main with a maximum spacing of 300 feet between adjacent manholes. All manholes located within the 100-year flood plain shall be constructed with watertight frames and covers. When watertight lids are used, vents shall be installed at manholes so as to provide a maximum spacing of one thousand (1,000) feet. Manholes shall conform to the requirements listed below and as shown in the detail in Appendix B:

- (1) Frame and cover shall be Catalog No. 1022-1 as manufactured by East Jordan Iron Works, or approved equal. All covers shall have no perforations and shall be marked "SANITARY".
- (2) Manhole rings, cones, sections and bases shall be precast Portland Cement Concrete conforming to the requirements of ASTM C478 and as further defined on the manhole detail in Appendix B. Joint material shall be as shown on the detail.
- (3) Manhole coatings shall be Dural 302, Koppers Bitumastic No. 300M or approved equal for interior surfaces (rate of application to be minimum of 120 sq. ft. per gallon) and Koppers Bitumastic Black Solution (2 coats), Glidden Glid-Guard Black Solution No. 61776 or approved equal for exterior surfaces (minimum rate of application to be 375 sq. ft. per gallon per coat).
- (4) Inlet and outlet pipe connections shall consist of a rubber sleeve with type 300 stainless steel banding. Connections shall be KOR-N-SEA1 as manufactured by National Pollution Control Systems, Inc, Lock Joint Flexible Manhole Sleeve as manufactured by Interpace Corporation, or approved equal. (Passed 8-19-08.)

1363.05 STORM DRAINAGE FACILITIES.

(a) Storm drainage pipes and structures shall be installed to serve streets to meet the following criteria:

- (1) Streets adjacent to streets served by storm sewers shall be designed to adequately continue the existing storm sewer system in accordance with this subsection.
- (2) Streets not adjacent to streets with existing storm systems shall be designed to adequately serve the tributary area with the assumption that the tributary area is fully developed.

- (3) The first inlet of the new system shall be located such that any flooding upstream of the inlet shall not exceed half the width of the street for the applicable design frequency.
- (b) The estimated runoff for drainage areas less than one (1) square mile shall be computed according to the Rational method, subject to the restrictions herein:
- (1) Rainfall intensity shall be determined from rainfall-intensity-duration-frequency curves for a storm of specific frequency having a duration equal to the time of concentration.
 - A. One-hundred-year frequencies shall be used for all detention basin design.
 - B. Fifty-year frequencies shall be used for main storm trunk lines.
 - C. Fifteen-year frequencies shall be used for all other designs.
 - (2) Time of concentration.
 - A. The time of concentration shall be determined from:

$$(t_c)^{2.14} = 2/3 \frac{Ln}{\sqrt{S}}$$

Where:

t_c = Time of concentration in minutes

L = Length of flow in feet.

S = The surface slope in feet/foot.

n = Roughness coefficient as shown.

Surface	n
Smooth pavement	0.02
Bare-packed soil free of stone	0.10
Poor grass cover	0.30
Average grass cover	0.40
Dense grass cover	0.80

- B. A minimum of fifteen (15) minutes time of concentration for residential areas is recommended. This t_c is a suggested value and designers are cautioned to use judgment.
- (3) The rational formula shall be modified by use of an antecedent precipitation factor. Under these conditions, the rational formula becomes:

$$Q = (C) (C_a) (I) (A)$$

C = Coefficient of runoff.

C_a = Antecedent precipitation factor (for nonimpervious areas).
(See table below)*

I = Intensity of runoff in inches per hour.

A = Area in acres.

*NOTE: In no case shall the total ϕ (Ca) be greater than one and zero-hundredths (1.00).

Recurrence Interval of Design Storm (years)	C_a
2-15	1.0
25	1.1
50	1.2
100	1.25

(c) Storm sewer lines shall be of reinforced concrete pipe (RCP) for lines 36 inches in diameter or larger, or in areas encountering traffic loads. Smaller pipe may be "ULTRA-RIB" PVC pipe as manufactured by ETI Manufacturing, Inc., or approved equal. Storm sewer line design shall be performed with Manning's equation and shall be subject to the following restrictions:

- (1) Minimum storm sewer pipe inside diameter shall be twelve (12) inches.
- (2) Manning's "n" value for reinforced concrete pipe shall be fifteen-thousandths (0.015) and for polyvinyl chloride pipe it shall be thirteen thousandths (0.013).
- (3) Reinforced concrete pipe shall be at least Class III (ASTM , C76-57T) and all pipe shall be laid with not less than two (2) feet of cover on top of the pipe.
- (4) Downstream storm sewer lines shall have a greater capacity than the combined upstream lines in all cases.
- (5) The maximum design velocity shall be fifteen (15) feet per second, and the minimum design velocity shall be three (3) feet per second. Where discharge is made into a stream bed, the allowable velocities shall be as shown in the Design of Roadside Channels, Hydraulic Design Series No. 4, Department of Transportation, Federal Highway Administration, or in Design Charts for Open Channel Flow, United States Department of Commerce, Bureau of Public Records.
- (6) Storm sewer pipes less than thirty-six (36) inches in diameter shall be laid in a straight line between structures. Bends in larger than thirty-six (36) inches in diameter pipes shall be built with an adjacent manhole.
- (7) Ends of pipes starting or terminating in an open channel shall have suitable headwalls or flared end section.
- (8) Artificial open channels and swales shall not be used for conveyance of stormwater without written permission from the Commission Engineer.

(d) Manholes or chambers shall be placed wherever storm sewer lines: intercept branch lines, change alignment, change grade and wherever pipe sizes are altered. Additional restrictions shall include:

- (1) Storm sewer structures shall be placed not more than three hundred (300) feet apart for sewers less than forty-eight (48) inches in diameter. Inlets shall be located to prevent gutter flow from crossing street pavement and to prevent runoff accumulations above curbing at all intersections and low points along the roadway. Only curb inlets shall be used at low points.

- (2) Inlets shall be provided at cul-de-sacs, as needed, to completely drain cul-de-sac gutters. Cul-de-sac gutters shall be graded toward inlets at a minimum one-percent grade.
- (3) Maximum inlet flow rate shall be six and zero-tenths (6.0) cubic feet per second. All hydraulic structures shall have sufficient depth to prevent overflow due to energy losses or changes in flow regimes.
- (4) Street intersections with low points common to both streets (dish intersections) shall not be permitted.
- (5) Inlets and manholes shall conform to the requirements of the details shown in Appendix B.

(e) All culverts (open-ended pipe streams subjected to a head on either or both ends) shall be designed in accordance with Hydraulic Charts for the Selection of Highway Culverts, Hydraulic Engineering Circular No. 5, Bureau of Public Roads.

(f) Detention basins shall conform to the following:

- (1) Detention basin design for sizes thirty (30) acres or smaller in size shall be based on a trapezoidal inflow hydrograph. The influent flow rate shall be based on a one-hundred-year-frequency storm maintaining a constant flow for ten (10) minutes beyond the time of concentration for the site, thence decreasing to zero (0) over a time interval one and five-tenths (1.5) times the time of concentration interval. Detention basins for sites larger than thirty (30) acres shall be designed by a reservoir routing method and/or other methods acceptable to the Commission Engineer.
- (2) The detention basin design storage shall be the greater storage required from inflow by hydrographs for developed and undeveloped site conditions in conjunction with allowable outflow rates.
- (3) The outflow rate from the detention basin shall be limited to the runoff rate prior to development for a fifteen-year-frequency storm for industrial, business, commercial and apartment areas, and a ten-year-frequency storm for residential areas.
- (4) Detention basins shall have a minimum of one (1) foot of freeboard above the water level produced by the design storage from a one-hundred-year-frequency storm. (Passed 8-19-08.)

1363.06 SIDEWALKS.

(a) Sidewalks shall be constructed of Portland Cement concrete with a minimum width of four (4) feet and in conformance with the sidewalk detail located in Appendix B.

(b) Sidewalk thickness shall be increased to six (6) inches at driveway crossings.

(c) Handicapped access ramps shall be constructed at all street intersections and crosswalks.

(d) A cross slope of one quarter inch per foot shall be maintained at all times.

(e) Construction joints shall be constructed utilizing expansion joint material conforming to AASHTO M-59-49. All joints shall be filled utilizing a joint sealant conforming to Federal Specification SS-F-336a.

(f) Sidewalks shall be reinforced with one (1) layer of 6 x 6 - 10/10 woven wire mesh.
(Passed 8-19-08.)

1363.07 STREETLIGHTING.

Streetlighting shall consist of 400 watt, high pressure sodium fixtures mounted in conformance with the requirements of Monongahela Power Company. A minimum of one fixture shall be located at each street intersection and the maximum spacing between fixtures shall be five hundred (500) feet. All lighting fixtures and accessories shall meet the requirements of the current edition of the National Electrical Code and the Monongahela Power Company.
(Passed 8-19-08.)

1363.08 LOTS AND LOT SIZES.

(a) Lot size and dimensions shall be not less than those specified in the Zoning Ordinance of the City of Williamstown.

(b) On any lot or parcel of land which is to be subdivided and by reason of topographic conditions may be unsuitable for development, the Commission may require test borings or other evidence of its suitability for development. This evidence shall be based on tests performed by a registered professional engineer and shall be undertaken at the expense of the developer.

(c) All lots shall front upon a public street or an approved private drive.

(d) Side lot lines shall be substantially at right angles or radial to street lines.

(e) If remnants of land exist after subdividing, they shall be incorporated in existing or proposed lots, or dedicated to public use if acceptable to the City.

(f) Double frontage lots are prohibited, except where employed to prevent vehicular access to major traffic streets.

(g) Depth and width of parcels laid out or reserved for nonresidential use shall be sufficient to provide satisfactory space for off-street parking and unloading as required by the provisions of the Zoning Ordinance of the City of Williamstown.
(Passed 8-19-08.)

1363.09 EASEMENTS.

(a) Easements with a minimum width of twenty (20) feet shall be provided as necessary for utilities.

(b) To the fullest extent possible, easements shall be centered on or adjacent to rear or side lot lines and extend the full depth of the property. Suitable easements shall be provided through the properties for future expansion.

(c) Where a subdivision is traversed by a watercourse, there shall be provided a drainage easement or right-of-way conforming substantially with the line of such watercourse and such width as will be adequate to preserve natural drainage. The minimum width of a drainage easement shall be thirty (30) feet. (Passed 8-19-08.)

1363.10 BLOCKS.

(a) The length, width and shape of blocks shall be determined with due regard for the following:

- (1) Provision of adequate sites for buildings of the type proposed.
- (2) Zoning requirements.

- (3) Topography.
- (4) Requirements for safe and convenient vehicular and pedestrian circulation.

(b) Blocks shall have a minimum length of four hundred fifty (450) feet and a maximum length of fourteen hundred (1,400) feet. In the design of blocks longer than one thousand (1,000) feet, special consideration shall be given to the requirements of satisfactory fire protection and pedestrian through walks.

(c) Residential blocks shall be of sufficient depth to accommodate two (2) tiers of lots, except where reverse frontage lots bordering a major traffic street are used.

(d) Pedestrian through walks may be required where necessary to assist circulation or provide access to community facilities. Such crosswalks shall have a width of not less than ten (10) feet and a paved walk of not less than four (4) feet.
(Passed 8-19-08.)

1363.11 COMMUNITY FACILITIES AND COMPREHENSIVE PLAN REQUIREMENTS.

(a) In reviewing plans, the Commission will consider the adequacy of existing or proposed community facilities to serve the additional dwellings proposed or allowed for by the developer.

(b) Where a proposed park, playground, school or other public use shown in the Comprehensive Plan is located in whole or in part in a subdivision, the Commission may require the reservation of such area as may be deemed reasonable.

(c) Areas provided or reserved for such community facilities should be adequate to provide for building site, landscaping and off-street parking as appropriate to the use proposed.

(d) The layout of the proposed subdivision shall be in general conformity with the features or developments proposed in the Comprehensive Plan of the City of Williamstown.

(e) Existing features which would add value to residential development, such as watercourses, historic spots and similar irreplaceable assets should be preserved insofar as possible, through harmonious design of the development.

(f) No trees exceeding eighteen (18) inches in diameter shall be removed unless they are located within fifteen (15) feet of the building site or they interfere with the access drive or other permitted uses or if they constitute a physical hazard. Removal of any trees outside of the above, requires approval by the Commission on the preliminary plan.
(Passed 8-19-08.)

CONSTRUCTION STANDARDS

All construction methods and practices shall be in conformance with all local, state and federal regulations. These construction methods and practices shall also conform in all respects with the current requirements of the WVDOT Standard Specifications, which by reference are made a part of these regulations, except as modified or further defined herein.

1363.12 STREETS.

Construction methods shall conform with the requirements of Appendix A.
(Passed 8-19-08.)

1363.13 PUBLIC WATER SYSTEM.

(a) All pipe and fittings shall be installed in accordance with the manufacturer's recommendation except as further defined herein. No pipe shall be installed so that the joint or fitting joint deflection is in excess of that recommended by the applicable manufacturers. The pipe trench shall be excavated so that the pipe will fit freely within the excavation without any forcing or bending between joints.

(b) Pipe covering shall be a minimum of thirty-six (36) inches and a maximum of sixty (60) inches.

(c) Backfilling shall be done with earth fill only except as provided herein. No rock exceeding six inches in diameter excavated from trenches shall be permitted in backfill. Excavated rock from trenches less than six inches in diameter shall be permitted after twelve inches of cover has been placed over the pipe. No rock larger than one inch in diameter shall be placed in backfill beneath, beside or in the twelve inches of cover above the pipe. No rock shall be backfilled against the PVC or PE pipe wall. Beginning at twelve inches above the crown of the pipe, the backfill shall be compacted, in one-foot lifts across its full length and width with at least two passes of an approved mechanical tamper. The compacted backfill shall be ninety percent of maximum density based on the standard proctor method. Where the pipeline passes beneath streets, roads, driveways, road berms, lawns, active farmlands, sidewalks, parking areas and/or paved or graveled areas, the backfill material shall be placed in a maximum depth of one foot lifts and compacted to ninety-five percent of maximum density through the entire depth of the excavation. If requested by the Commission Engineer, the developer shall provide, at his sole expense, a West Virginia certified technician with acceptable equipment to determine the obtained compaction. These tests shall not exceed two per 500 lineal feet of completed trench.

(d) Reserved.

(e) Concrete blocking shall be installed wherever pressure causes thrust to be exerted on the pipe. Blocking shall conform to the details shown in the Appendix B.

(f) Bedding shall be done as detailed in Appendix B. When rock is encountered, trench shall be excavated six inches beneath pipe and replaced with select fill material. All loose rocks remaining in the excavated trench shall be removed prior to pipe placement.

(g) Testing shall be done on sections of pipe line as determined adequate and ready for testing by the Commission Engineer. The developer shall furnish all labor, materials and equipment for these tests. In general testing shall follow the applicable sections of AWWA Standards C600 and C602 and as defined below:

- (1) Pressure shall be 50 psi higher than working pressure of system.
- (2) Water used for testing shall be of potable quality.
- (3) Developer shall locate and repair defects at his own expense until leakage is within permitted allowance.
- (4) Allowable leakage shall in no case exceed 10 gpd/in/mile of water line.

(h) Sterilization of water lines and accessories shall be done in accordance with AWWA Standard C651 except as modified herein:

- (1) Leakage tests shall be conducted and all leaks repaired before sterilizing lines.
- (2) Disinfection compound to be used shall be calcium hypochlorite.
- (3) Chlorine residual of not less than 50 ppm at the extreme end of the line shall be maintained in the water after standing in the pipe for 24 hours.
- (4) Bacteriological tests of the system shall be performed by the West Virginia State Department of Health. The developer shall provide all samples, fees, labor and equipment necessary for these tests as required by the Department of Health.

(i) Utility marking tape shall be installed over the centerline of waterline approximately eighteen (18) inches above the crown of the pipe. This tape shall be a minimum of four inches in width and bear the message of "CAUTION - WATERLINE BURIED BELOW" as manufactured by Griffolyn Company, Inc. or equal.

(j) Tracer wire shall be installed approximately eighteen (18) inches above the crown of the pipe and side to side in the trench to provide a minimum of five (5) percent excess in length of the wire when compared to the pipe length installed. No rocks shall be placed within three (3) inches of the tracer wire. Tracer wire shall be installed into various appurtenances, i.e., meter setting, blowoff assembly, test station, valve box, etc., or as directed by the Commission Engineer, along the water line route at roughly 500-foot maximum intervals. As in the case of test station, the tracer wire placed in the appurtenance shall be brought to final grade and be installed with an extra one-foot coil. Except as in case to access a nearby appurtenance, tracer wire will not be required over metal pipe. Test stations shall be installed flush with the existing or proposed grade and set in a plumb line. Wires shall be permanently tagged and labeled by the direction in which they proceed (either north, south, east or west).

(k) Valves and hydrants shall be installed in accordance with AWWA Standards C600 and C603. All valve boxes shall be placed with a 6" x 24" x 24" concrete pad centered with the box at ground or pavement.

(l) Hydrants shall be connected to the water main with pipe of the same size and material as the main unless otherwise noted. Minimum cover over pipe shall be three feet. The developer shall furnish and install required extension sections to locate the invert of the pumper nozzle one (1) foot above grade. Hydrant shall be restrained by 3/4" diameter rods to the auxiliary valve. Hydrants shall be installed so as to provide free draining of the barrel. Any hydrant that will not drain completely within five minutes after closing will be considered unacceptable. Installation shall conform to the detail shown in Appendix B.

(m) Carrier pipe shall be installed in the casing pipe using the appropriate size Model 60 casing insulator spacer as manufactured by F. H. Manloney, or approved equal, spaced at eight (8) feet, center to center, except that one spacer shall be located at each end of the casing pipe.

(n) Service connection shall be made by a saddle and corporation stop bolted tightly to the main or in the case of ductile-iron pipe, by inserting a corporation stop into the main by means of an approved tapping machine. Care shall be used to insure all chips are flushed or plugs removed from the main and stop after the connection is completed. The drill or tapping bit shall be the maximum size permitted by the size of corporation stop installed.

(o) Copper tubing service line shall be installed free of kinks or dents.

(p) Testing. Service lines shall be subjected to the same hydrostatic tests as provided for the mains. Flow testing of each service installed may be required by the Commission Engineer to ensure the installed service is free of defects such as a partially clogged corporation stop or pinched service tubing.

(q) Contractor shall excavate for meter settings and install valves, couplings and all fittings conforming with the detail shown in Appendix B. The meter box shall then be placed over and around the setting in a manner to permit an easy installation of the meters. The meter box and the lid shall be placed at an elevation to bring the top of the meter lid flush with or just slightly above the level of the surrounding ground or pavement. The area surrounding the box and lid shall then be backfilled with suitable material and thoroughly tamped.
(Passed 8-19-08.)

1363.14 SANITARY SEWER FACILITIES.

(a) Line and grade of the sewer line shall be maintained accurately by lasers at all times. The Commission Engineer shall at all times have access to lasers and to ditch excavation in order to check grade and line.

(b) Bedding shall conform to the details as approved by the Commission or as shown in Appendix B. Bottom half of the pipe barrel shall be uniformly supported throughout its length on bedding material. If excavation is carried below the depth shown on the Plans, developer shall backfill this area with specified bedding material to secure a uniform bedding. When rock is encountered, trench shall be excavated six inches beneath pipe and replaced with granular bedding material.

(c) Trench depth shall be sufficiently wide to permit proper installation of the pipe, fittings and other materials, and not less than six inches clear of barrel on any side at any point. In no case shall the width exceed the outside pipe diameter plus 18 inches. Excavated material shall not be placed along highways, streets or roads in such manner as to obstruct traffic. Scattered excavated material shall not be allowed to remain on the pavement. All side ditches, culverts and other drainage structures shall be kept clear of excavated material. Accumulating water in the excavation shall be promptly removed. The excavation shall be kept free of standing water at all times while work is in progress.

(d) Backfilling shall be done, after pipes have been laid and structures completed, with selected material free from large stone, frozen earth, clods, sticks, brush or other unsuitable material. The backfill material on both upper sides of the pipe and to a point one foot over the top of the pipe shall be clean earth, sand or small gravel. This material shall contain no stones or rocks over one inch in maximum dimension and the material shall be placed uniformly and simultaneously on both upper sides of the pipe and thoroughly compacted to ninety percent (90%) of maximum density by approved methods. This remaining backfill shall be compacted to ninety percent (90%) of maximum

density and placed in lifts not to exceed one-foot. It shall be the developer's responsibility to perform compaction testing, acceptable to the Commission Engineer. Where the pipeline passes beneath driveways, sidewalks, parking areas or paved areas, the backfill material shall be placed in one-foot lifts and compacted to ninety-five percent (95%) of maximum density through the entire depth of the excavation.

(e) Pipe laying shall conform to the application section listed below:

- (1) Ductile cast iron pipe shall be laid and the work incidental thereto performed in accordance with AWWA Standard C 600 and as further defined or modified herein.
- (2) Polyvinyl chloride pipe shall be laid and the work incidental thereto performed in accordance with ASTM Standard D 2321 except as further defined or modified herein.

(f) Concrete blocking shall be installed on pressure lines wherever pressure causes thrust to be exerted on the pipe, such as changes in alignment, fittings, reducers, etc. Blocking shall conform to the details shown in Appendix B.

(g) Manufacturer's recommendations on the installation of pipe which are not in conflict with any provisions of these specifications shall be followed and considered a part of the specifications.

(h) Testing shall be done on sections of pipe line as determined adequate and ready for testing by the Engineer. The developer shall furnish all labor, materials, water and equipment for these tests. In general, testing shall be performed as follows:

- (1) Alignment and gradient of gravity sewers shall be checked by sighting from one manhole to a strong light held at the next manhole. Should alignment vary horizontally more than 1/4 the diameter of the pipe or pockets and high points shall be found in the slope, the developer shall locate and correct the defective joints to the satisfaction of the Commission Engineer.
- (2) Infiltration test shall be performed only when the sewer is sufficiently below the water table to provide a minimum of four (4) feet of head above the top of the pipe at the highest elevation being tested. A weir shall be installed in the lower end of the section being tested and measurement of the depth of flow over the weir recorded at fifteen (15) minute intervals for one (1) hour.
- (3) Exfiltration test shall be performed after replacement of broken or cracked pipe, repair of defective joints and verification of the sewer installation for line and grade and after cleaning and conditioning the sewer free from deposits, joint drippings or extrusions, or from foreign matter of any kind. Each section of sewer between manholes, or for longer distances if allowed before backfilling, shall be maintained completely full of water for a period of not less than thirty (30) minutes to allow for absorption of water by the sewer. By use of pre-installed riser sections of pipes at manholes if necessary, or by plumbers plugs and riser, a column of water shall be then maintained at least four (4) feet above the uppermost top section of sewer under test for sewers with grades of one percent (1%) or less and to one (1) inch above the crown of the upper end of the sewer, for grades between one to five percent, and as the Commission Engineer directs for greater grades. In case the water table in the trench, at the time of the test is above the highest invert of the sewer section under test, the column of water above specified shall be accordingly increased.

In lieu of hydrostatic testing, the developer may perform air testing meeting the requirements of "Recommended Practice for Low-Pressure Air Testing of Installed Sewer Pipe", UNI-B-6-90 as published by the Uni-Bell PVC Pipe Association of Dallas, Texas, and as modified herein. A pressure pop of 1.0 psig shall be used for all tests. Service connections to the point of connection to the existing customer lateral, shall be included in the test. The minimum length of test period shall conform with Column 2 of the table located on the following page (eleven minutes and twenty seconds for twelve inch pipe).

(i) Deflection of the pipe diameter shall not exceed five (5) percent. A portion of installed pipe equaling twenty-five (25) percent of the total amount installed shall be tested for deflection thirty (30) days or more after backfilling to final grade has been completed. Sections of pipe to be tested shall be selected by the Commission Engineer and if any of these segments fail to indicate a deflection of less than five percent, the remaining pipe shall be subjected to the test. Testing shall be by means of passing a 9-point mandrel through the pipe with no uses of mechanical pulling devices or an alternative method approved by the Commission Engineer in writing. Any pipe that fails to meet the above requirements shall be corrected by the developer.

(j) Manhole frames and covers shall be set in a full bed of fresh mortar to match the existing grade, as shown on the Plans and be centered in relation with the cone section opening.

(k) Manholes shall be constructed to be watertight and so that the total depth from invert to top of casting will allow for the use of one precast concrete adjusting ring. Any visible inflow into any manhole shall be corrected by the developer at his expense.

(l) Inverts shall be uniform, smooth and accurately shaped so as to eliminate any deposition of solids. Where changes in direction or entering branched are encountered, the centerline of the flow channel shall be a true curve of as large a radius as the size of the manhole will permit.

(m) Testing of manholes for infiltration may be required by the Commission Engineer of any or all manholes and shall consist of completely sealing all pipe openings into the manhole and the measurement of the accumulated water in the structure. This test shall be for a period of from one to four days as designated by the owner during which time the area around the exterior of the manhole will be flooded or saturated with water to within four (4) inches on the top of the manhole frame. The allowable infiltration rate shall be fifty (50) gallons per twenty-four (24) hour day. If, upon test, the infiltration exceeds this amount, the developer shall reconstruct or otherwise make satisfactory the manhole and repeat the test until infiltration is within the allowable limits.

(n) Markers shall be placed at the end of each house connection extending to the surface of the ground and made from 1" x 3" hardwood boards. Each house connection shall also be stoppered with a properly-sized, watertight, rubberized plug that may be mechanically tightened. (Passed 8-19-08.)

1363.15 STORM DRAINAGE FACILITIES.

(a) Trench excavation and stormsewer pipe installation shall conform to the requirements of Section 1363.14 and any applicable manufacturer's recommendations.

(b) Pipe bedding and laying shall conform to the following:

(1) All pipe shall be laid to the lines and grades as shown on the drawings.

- (2) All pipe shall be laid in a prepared bed of bank run sand having a thickness of four (4) inches under the pipe. Bedding shall continue to two (2) inches above the top of the pipe. The bedding shall be thoroughly tamped by means of a hand tamping tool specifically made for this purpose. No voids or loose bedding material beneath or beside the pipe will be accepted. The tamping shall continue until no additional material can be forced below the top of the pipe.
- (3) Adjustments to line and grade of all pipe shall be made by scraping away or tamping suitable bedding material under the body of the pipe. Wedging or blocking shall not be permitted. No pipe shall be installed when water is in the trench. Pipe and joints shall be kept clean. At the end of the day's work, and at such other times when necessary, pipe shall be protected by a close fitting stopper.

(c) Backfilling of storm sewer and structures shall conform to the requirements of Section 1363.14.

(d) Pipe Cleanup. The interior of the sewer shall be thoroughly cleaned of all dirt, stones, sticks and other material as the work progresses, and the exposed ends of all pipe and fittings shall be fully protected by a board or other approved stopper to prevent any foreign substance from entering the pipe. Where the ends of pipe project through structures, they shall be neatly cut to fit the inner face of the structure.

(e) Inlet and manhole shall be constructed on a subgrade. The invert channels shall be uniform, smooth and accurately shaped and as shown on the drawings. Frame castings shall be set in a full bed of fresh mortar to the required grade or cast in the top slab of the structure. Manhole and inlet construction shall be such as to prevent infiltration. Upon completion, each structure shall be cleaned of any accumulations of silt, debris, or foreign matter of any kind and shall be kept clear of such accumulation until final acceptance of the work.
(Passed 8-19-08.)

1363.16 SIDEWALKS.

(a) Sidewalk subgrade shall be firmly tamped backfill or undisturbed original ground, kept free of water and foreign matter at all times. When unsuitable or wet material is encountered it shall be replaced with suitable backfill and thoroughly tamped.

(b) Dry Bed. Dry bed course material shall be placed on the subgrade to the depth and width shown in Appendix B and compacted by four passes of vibratory trench roller whacker. Additional material, if necessary, shall be added until the finished grade is obtained after compaction.

(c) Forms. Forms shall be of wood or metal of a depth equal to the thickness of the concrete course, free from warp or kinks and of sufficient strength to hold alignment during the concrete placing and finishing operation. They shall be securely pinned or staked so as to maintain a true line and grade until the concrete has set. All forms shall be cleaned and oiled before being used and will be subject to inspection for defects before their use is permitted.

Where a concrete curb or gutter is not required to be constructed integral with a concrete base or pavement it may be placed with a self-propelled curbing machine consisting of a hopper and power driven screws. The machine shall be subject to the approval of the Engineer. The proper density and cross section shall be obtained by forcing the concrete through a mold of the specified cross section. The concrete shall be of such consistency that it can be molded into the desired shape and will remain as placed without slumping of the vertical or sloping faces.

(d) Driveway and Approaches. When a sidewalk is constructed across driveways or alleys so that it will be crossed by motor or other vehicles, the thickness of concrete in these areas shall be increased and/or reinforced as shown on the Drawings. Where driveways or alleys intersect the proposed curbs or curb and gutter sections a mountable curb shall be constructed. All driveways and accesses to the street will be constructed to mountable curb to provide a satisfactory approach to the roadway. Replacement of driveways shall be reconstructed with a minimum thickness of six (6) inches.

(e) Joints.

- (1) All concrete in contact with forms, curb or expansions joint material shall be thoroughly vibrated so as to prevent honeycomb.
- (2) Sidewalks shall be constructed in separate uniform slabs approximately twenty (20) feet in length except where shorter lengths are necessary for closures. Where practicable, joints shall be made to match those in abutting curb or pavement. Slabs shall be separated by transverse expansion joints one-half inch in thickness for the full depth and width of the concrete course.
- (3) Where sidewalks are being constructed against a building foundation, curb, existing sidewalk, wall or other substantial structure, a one-half inch expansion joint shall be installed along such structure. Longitudinal expansion joints between sidewalk and curb may be eliminated and the opening remaining after sidewalk has been placed shall be filled with Joint Sealing Material. All expansion joints shall be securely fastened in position.
- (4) Where existing structures such as light standards, utility poles, fire hydrants, etc., are within the limits of sidewalk area, they shall be surrounded with ½ inch expansion material of a depth equal to the thickness of the concrete and concrete shall be scored in a block eight inches wider than maximum dimension of such structure at the sidewalk elevation.
- (5) Where curb and gutter sections are poured adjacent to existing concrete pavements, a bonding agent shall be applied in a thin uniform layer in an acceptable manner avoiding pools or puddles. The new concrete shall be poured before the agent has cured; if the agent hardened a new coat shall be applied before any concrete is placed. Expansion joints shall be placed at corresponding intervals as those located in the existing pavement.

(f) Finishing.

- (1) Finishing shall be done with a ten-foot metal float rectangular or other approved section and equipped with a handle at right angles to the blade. This float shall be operated across the concrete by starting at the edge slowly moving across the walk and back again. The float shall then be moved one-half its length and the above operations repeated. Where changes in grade line are so abrupt as to make the use of a ten-foot float impracticable, a shorter float may be used. Care shall be taken at all times to preserve the cross-section of the sidewalk.
- (2) A short time before the initial set of concrete occurs, the surface shall be lightly broomed, after which the slab shall be neatly scored transversely at approximately five-foot intervals. All joints shall then be edged with an approved tool having radius of approximately 1/4 inch.

(g) Curing and Form Removal.

- (1) Immediately after finishing operations the developer shall cure the concrete by covering with wet burlap, cotton mats, jute felt mats, paper rolls or other able covering until the concrete has attained a set sufficient for form removal.

- (2) As soon as forms have been removed all honey-combed surfaces shall be corrected and wet earth banked against the sides.
- (3) Final curing shall be accomplished as above and shall continue for a period of seven (7) days unless it has acquired its compressive strength at an earlier time. During this curing period, the concrete shall be maintained in a wet condition by sprinkling the covering, ponding, etc.
- (4) The surface to be cured may be coated with an approved curing compound in lieu of continued application of moisture. The compound shall be sprayed on the moist concrete surfaces as soon as free water has disappeared, but shall not be applied to any surface until finishing of that surface is completed. The compound shall be applied at a uniform rate of not less than one gallon per 150 square feet of surface and shall form a continued adherent membrane over the entire surface. Curing compound shall not be applied to surfaces requiring bond to subsequently placed concrete. If the membrane is damaged during the curing period, the damaged area shall be resprayed at the rate of application specified above.

(h) Backfilling. Backfilling shall be done so as to provide proper drainage and shall be of suitable material, free of large stones or rubble, thoroughly compacted to prevent future settlement and shall provide suitable subgrade for the placement of topsoil, seeding and mulching. All disturbed areas shall be topsoiled to a depth of four inches, hand raked, seeded and mulched.

(i) Adverse Weather Conditions.

(1) Cold weather concreting:

A. When the component materials are not artificially heated and the temperature of plastic concrete becomes less than 55 degrees Fahrenheit, the provisions for cold weather concreting shall apply. The concrete shall have a temperature of at least 50 degrees Fahrenheit but not more than 85 degrees Fahrenheit. This temperature shall be maintained heating the water, aggregate, or both as necessary. Heating methods which alter or prevent the entrainment of the required amount of air in the concrete shall be used. The equipment shall be capable of heating materials uniformly. Aggregates or water shall not be heated to a temperature exceeding 150 degrees Fahrenheit. Stockpiled aggregates may be heated by the dry heat or steam. Aggregates shall not be heated directly by gas or oil flame or a sheet metal over fire. Binned aggregates may be heated by steam-coil or water coil heating. The use of live steam on or through binned aggregates will not be permitted.

B. No concrete shall be placed on a frozen subgrade. Materials containing frost or lumps of frozen materials shall not be used.

(2) Hot weather concreting:

A. When a shaded thermometer in the vicinity of the precaution plant reaches 85 degrees Fahrenheit, thermometer readings of the temperature of the plastic concrete shall be taken at least once per hour.

- B. When the temperature of the plastic concrete reach 85 degrees Fahrenheit, the elapsed time between the introduction of the mixing water to the concrete-aggregate discharge of the mix shall not exceed 45 minutes. At this temperature or above, particular attention shall be paid to the specification provisions concerning the sprinkling and wetting of the subgrade and forms, the maintenance of coarse aggregate stock in saturated surface-dry condition and prompt start of concrete curing operations.
- C. When the temperature of the plastic concrete reaches 90 degrees Fahrenheit, immediate steps shall be taken to cool either mixing water or aggregates, or both, in order to maintain a plastic concrete temperature of degrees Fahrenheit, or less. Ice may be used to cool mixing water or crushed ice may be introduced directly into the mixer.
- D. In no event shall concrete be placed when its temperature in the plastic state, at the completion of mixing exceeds 90 degrees Fahrenheit. (Passed 8-19-08)

1363.17 STREETLIGHTING.

Streetlighting shall be installed in conformance with the requirements of the current edition of the National Electrical Code and any requirements or guidelines of the Monongahela Power Company or its successors. (Passed 8-19-08.)

ARTICLE 1367
Plan Requirements

1367.01 Preliminary plan.
1367.02 Final plan.

1367.03 As-built drawings.

1367.01 PRELIMINARY PLAN.

(a) Scale. The preliminary plan shall be at a scale of not more than one hundred (100) feet to the inch.

(b) Plan Information. The preliminary plan shall show or be accompanied by the following information:

- (1) Proposed subdivision name or identifying title.
- (2) North point, scale (graphic and numeric) and date.
- (3) Name of owner of the property.
- (4) Name of the registered engineer, surveyor or architect responsible for the plan.
- (5) Tract boundaries with bearings and distances referenced to true north.
- (6) Contours at vertical intervals of five (5) feet or, in the case of relatively level tracts, at such lesser interval as may be necessary for satisfactory study and planning of the tract, based on the NAVD88 datum.
- (7) All existing water courses, tree masses, individual large tree and other significant natural features.
- (8) All existing buildings, utilities and appurtenances, drainage structures and other significant man-made features.
- (9) All existing streets on or adjacent to the tract, including name, right-of-way width and pavement width.
- (10) All existing property lines, easements and rights-of-way, and the purpose for which the easements or rights-of-way have been established.
- (11) Location and width of all proposed streets, alleys, rights-of-way and easements; proposed lot lines with approximate dimensions; playgrounds, public buildings, public areas and parcels of land proposed to be dedicated or reserved for public use.
- (12) The names of owners of all abutting unplatted land and the names of all abutting subdivisions.

- (13) Where the preliminary plan covers only a part of the developer's entire holdings, a sketch shall be submitted of the prospective street layout for the remainder.
- (14) Copies of the proposed deed restrictions, if any, shall be attached to the preliminary plan.
- (15) Any lot(s) on which the average grade exceeds ten percent (10%) will require certification by a geotechnical engineer as to the suitability and restrictions of the encountered soils to serve their intended purpose. Two (2) copies of certification shall accompany the plat.
(Passed 8-19-08.)

1367.02 FINAL PLAN.

(a) Plan Size and Legibility.

- (1) The subdivision plan submitted for final approval shall be a clear, whiteprint of an ink drawing.
- (2) Final plans shall be on sheets not larger than 34 inches by 44 inches overall or smaller than 22 inches by 34 inches overall. Where necessary to avoid sheets larger than the maximum size prescribed above, final plans shall be drawn in two or more sections accompanied by a key diagram showing relative location of the sections.

(b) Plan Scale and Required Information.

- (1) The final plan shall be at a scale of not more than one hundred (100) feet to the inch and shall include the following information:
 - A. Subdivision name or identifying title.
 - B. North point, scale (graphic and numeric), date.
 - C. Name of the record owner and subdivider.
 - D. Name and seal of the registered professional engineer or surveyor responsible for the plan.
 - E. Boundaries of the tract which have been field surveyed with a closure of 1 part in 20,000 parts and having been adjusted to provide closure. Boundary lines shall be labeled with courses based on true north and distances shown to the nearest one hundredth of a foot.
 - F. Street lines, lot lines, rights-of-way, easements, and areas dedicated or proposed to be dedicated to public use. These lines or perimeters shall be labeled using the same convention as boundary lines.
 - G. Sufficient data to determine readily the location, bearing and length of every street, lot and boundary line and to reproduce such lines on the ground.
 - H. The length of all straight lines, radii, lengths of curves, chord distances and directions, and tangent directions for each street. All directions shall be based on true north.
 - I. The proposed building set-back line for each street, or the proposed placement of each building.
 - J. Location and width of all private driveways (if allowed).
 - K. Location, size and invert elevation of all sanitary and storm sewers and location of all manholes, inlets, culverts and appurtenances.
 - L. All dimensions shall be shown in feet and in hundredths of a foot.
 - M. Lot numbers.
 - N. Names of streets within and adjacent to the subdivision.

- O. Permanent reference monuments shall be shown, and shall be as specified by the Commission Engineer.
- P. Names of any adjoining subdivisions shall be shown.
- Q. Names of the owners of any unplatted land shall be shown.
- R. Certificate of dedication of streets and other public property.
- S. Certificate for approval by the Commission.
- (2) The final plat shall include thereon or be accompanied by:
 - A. An affidavit that the applicant is the owner or equitable owner of the land proposed to be subdivided.
 - B. A statement duly acknowledged before an officer authorized to take acknowledgement of deeds and signed by the owner or owners of the property, to the effect that the subdivision or development as shown on the final plan is made with his or their free consent and that it is desired to record the same.
 - C. Certification by the Commission Engineer that the Developer has met the requirements of Article 1359.
 - D. Typical cross sections, street profiles and drainage details for all streets. Such profiles shall show at least the following: existing (natural) grade along the proposed street centerline; existing (natural) grade along each side of the proposed street right-of-way; proposed finished center-line grade or proposed finished grade at top of curbs; sanitary sewer mains and manholes; storm sewer mains, inlets, manholes, culverts and appurtenances.
 - E. Protective covenants, if any, in form for recording.
 - F. The developer shall tender offers of cession in a form certified as satisfactory by the City Attorney of all land included in streets, highways or parks, not specifically reserved by him, but approval of the plan by the Planning Commission shall not constitute an acceptance by the City of the dedication of any street, highway or park or other open public areas.
(Ord. 8-19-08.)

1367.03 AS-BUILT DRAWINGS.

(a) General. Within thirty (30) days after the written notification by the developer to the Commission that the improvements have been completed in complete accordance with the final plan, the developer shall submit two (2) copies of as-built drawings to the Commission. The sheet material of one of these copies shall be three (3) mil, single matte mylar with sepia or ink features.

(b) Plan Size and Legibility. The requirements of Section 1367.02(a) shall apply to as-built drawings.

(c) Plan Scale and Required Information.

- (1) The as-built drawings shall contain the following:
 - A. Profile elevations of the center line of roads to hundredths of a foot, at one-hundred-foot stations, clearly defining the as-built elevations, versus the approved tentative elevations.
 - B. Invert and rim elevations of all storm, sanitary and water lines to the nearest hundredth of a foot, clearly defining the as-built elevations versus the approved tentative elevations.

- C. Any changes which deviate from the approved tentative drawings.
 - D. The as-built lengths of storm and sanitary sewer lines.
 - E. A typical as-built roadway section shall be provided.
 - F. Symbols denoting location of sanitary cleanouts and water valve boxes shall be provided. Also, house numbers shall be denoted.
- (2) The title block shall be clearly labeled "as-built plans and profiles". The scale shall be not greater than fifty (50) feet per inch in plan and not greater than five (5) feet per inch in profile, unless approved by the Commission. (Passed 8-19-08.)

ARTICLE 1371
Modifications and Variances

1371.01	Variances.	1371.04	Procedure for applying.
1371.02	Large scale developments.	1371.05	Recording a modification
1371.03	Reconsideration.		or a variance.

1371.01 VARIANCES.

(a) The Commission may grant a variance to the provisions contained herein whereby reason of the exceptional shape of a specific piece of property, or whereby reason of exceptional topographic conditions, or whereby other reasons the Commission deems valid, the strict application of these regulations would result in extreme practical difficulties and undue hardship upon the owner of such property; provided, however, that such relief may only be granted without significant detriment to the public good and without substantially impairing the intent and purposes of these regulations.

(b) In granting such variances or modifications, the Commission may require such condition as will, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified. (Passed 8-19-08.)

1371.02 LARGE SCALE DEVELOPMENTS.

The standards and requirements of these regulations may be modified by the Commission in the case of plans for complete communities or neighborhood units or other large scale developments which, in the judgment of the Commission, achieve substantially the objectives of the regulations contained herein and which are further protected by such covenants or other legal provisions as will assure conformity to and achievement of the plan.
(Passed 8-19-08.)

1371.03 RECONSIDERATION.

Any developer aggrieved by a finding, decision or recommendation of the Commission may request and receive opportunity to appear before the Commission, present additional relevant information, and request reconsideration of the original finding, decision or recommendation.
(Passed 8-19-08.)

1371.04 PROCEDURE FOR APPLYING.

(a) Applications for modifications and variances shall be submitted in writing by the developer at the time the preliminary plan is filed with the Commission. The application shall state fully the grounds and all the facts relief upon by the applicant.

(b) Applications for reconsideration shall be submitted in writing by the developer not less than ten (10) calendar days in advance of the meeting at which reconsideration is desired.
(Passed 8-19-08.)

1371.05 RECORDING A MODIFICATION OR A VARIANCE.

In granting a modification or variance, the Commission shall record its actions and the grounds for granting the modification or variance in its minutes. A statement showing the date that such modification or variance was granted shall be affixed to the final plan.
(Passed 8-19-08.)

ARTICLE 1375
Definitions

1375.01 **General terms.**
1375.02 **Definition of terms.**

1375.03 **Abbreviations.**

1375.01 GENERAL TERMS.

As used in these regulations, words in the singular include the plural and those in the plural include the singular. The word "person" includes a corporation, unincorporated association and partnership, as well as an individual. The word "building" includes a structure and shall be construed as if followed by the phrase "or part thereof". The word "street" includes avenue, boulevard, court, expressway, highway, lane, arterial, and road. The word "watercourse" includes channel, creek, ditch, drain, dry run, spring and stream. The word "may" is permissive; the words "shall" and "will" are mandatory, subject, however, to the provisions of Section 1371.01.

(Passed 8-19-08.)

1375.02 DEFINITION OF TERMS.

As used in these regulations, the following terms shall be defined as follows:

- (a) **Alley:** A minor right-of-way providing secondary vehicular access to the side or rear of two or more properties.
- (b) **Block:** An area bounded by streets.
- (c) **City Council:** The Council of the City of Williamstown.
- (d) **Clear sight triangle:** An area of unobstructed vision at street intersections defined by lines of sight between points at a given distance from the intersection of street right-of-way lines.
- (e) **Commission:** The Planning Commission of the City of Williamstown.
- (f) **Commission Engineer:** Shall mean the City Engineer or other qualified person designated by the Planning Commission to perform all administrative and/or supervisory duties required of the Commission Engineer by the provisions of these regulations.
- (g) **Cul-de-sac:** A minor street intersecting another street at one end and terminated at the other by a vehicular turnaround.
- (h) **Dedication:** The deliberate appropriation of land by its owner for any general and public uses, reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.

- (i) **Developer:** Person(s) or entity responsible for developing or causing to develop a parcel or tract of real estate.
- (j) **Easement:** A right-of-way granted for limited use of private land for a public or quasi-public purpose.
- (k) **Half or partial street:** A street, generally parallel and adjacent to a property line, having a lesser right-of-way width than normally required for satisfactory improvement and use of street.
- (l) **Interior walk:** A right-of-way for pedestrian use extending from a street into a block or across a block to another street.
- (m) **Lot:** A tract or parcel of land intended for transfer of ownership, use or improvement.
- (n) **Pavement:** That portion of a street or alley intended for vehicular movement.
- (o) **Plan, Final:** A complete and exact subdivision plan, prepared for official recording as required by statute, to define property rights and proposed streets and other improvements.
- (p) **Plan, Preliminary:** A tentative subdivision plan, in lesser detail than a final plan, showing approximate proposed streets and lot layout as a basis for consideration prior to preparation of a final plan.
- (q) **Plan, Sketch:** An informal plan, not necessarily to scale, indicating salient existing features of a tract and its surroundings and the general layout of the proposed subdivision.
- (r) **Reverse frontage lot:** A lot extending between and having frontage on a major traffic street and a minor street, and with vehicular access solely from the latter.
- (s) **Right-of-way:** Land reserved for use as a street, alley, interior walk, or for other public purposes.
- (t) **Set-back or building line:** The line within a property defining the required minimum distance between any enclosed structure and the adjacent right-of-way.
- (u) **Sight distance:** The maximum extent of unobstructed vision (in a horizontal or vertical plane) along a street from a vehicle located at any given point on the street.
- (v) **Street:** A strip of land, including the entire right-of-way intended for use as a means of vehicular and pedestrian circulation. Classes of streets are as follows:
 - (1) Major traffic streets are those serving large volumes of comparatively high-speed and long-distance traffic.
 - (2) Collector streets are those which, in addition to giving access to abutting properties, intercept minor streets and provide routes, carrying considerable volumes of traffic, to community facilities and to major traffic streets.
 - (3) Minor or local streets are those used primarily to provide access to abutting property.
 - (4) Marginal access streets are minor streets, parallel and adjacent to major traffic streets, providing access to abutting properties and control of intersections with the major traffic streets.
- (w) **Street, Public:** A street dedicated to public use.
- (x) **Subdivider:** The owner, or authorized agent of the owner of a subdivision.
- (y) **Subdivision:** The division of any parcel of land into two or more lots, plots, sites or other divisions of land for immediate or future sale or for building development with or without streets or highways.
(Passed 8-19-08.)

1375.03 ABBREVIATIONS.

These regulations contain certain abbreviated references of standards or specifications of various organizations, possibly including but not limited to the following:

AAAHTO, American Association of State Highway and Transportation Officials
ACI, American Concrete Institute
ACPA, American Concrete Pipe Association
AISC, American Institute of Steel Construction
ANSI, USAS, ASA, American National Standards, formerly United States of America Standards Institute, formerly the American Standards Association
API, American Petroleum Institute
AREA, American Railway Engineering Association
ASHRAE, American Society of Heating, Refrigeration and Air-Conditioning Engineers
ASME, American Society for Mechanical Engineers
ASTM, American Society for Testing Materials
AWS, American Welding Society
AWWA, American Water Works Association
CISPI, Cast Iron Soil Pipe Institute
FS, Federal Specifications
IEEE Institute of Electrical and Electronic Engineers
NCPI, National Clay Pipe Institute
NEC, National Electrical Code
NEMA, National Electrical Manufacturers Association
WVDOT, West Virginia Department of Transportation.
(Passed 8-19-08.)

APPENDICES

Appendix A - Street Specifications

Appendix B - Construction Details

APPENDIX A
STREET SPECIFICATIONS

1. Street Requirements - General

- a. Streets which are continuations of existing platted streets must be of no lesser quality than the existing streets relative to type of service, paved width, shoulders or curbs, etc.
- b. Streets shall be established to avoid jogs at intersections and shall intersect other streets as near to a 90° - degree angle as topography permits. Any intersection angle less than 70° degrees shall require approval of the Engineer.
- c. At the discretion of the Engineer, certain proposed streets shall be extended to the boundary line of a tract to provide for adequate circulation of traffic within the vicinity.
- d. Dead-end streets shall be approved if limited to one thousand (1,000) feet long for Flatland Subdivisions or Developments and two thousand (2,000) feet long for Hillside Subdivisions or Developments.
- e. Subdivisions or Developments with only one entrance-exit street shall be limited to one hundred (100) dwelling units. A second entrance-exit must be provided when limit is exceeded.
- f. Where it can be clearly demonstrated by an applicant that the topographic conditions will prevent the utilization of all possible building sites if all lots are required to abut on a street, some variation from that requirement may be permitted by the Engineer by means of the careful design and adequate construction of private drives subject to the following requirements:
 - (1) The number of lots to be served by any one private drive shall be determined within the discretion of the Planning Commission.
 - (2) Not more than three (3) lots shall be served by any one private drive.
 - (3) Private drives shall be constructed of the same material and with the same design characteristics as required for wider streets, except that the minimum surface width of a private drive may be sixteen (16) feet.
 - (4) Common and joint maintenance by all owners, present and future, of the lots served by the private drives shall be made a part of the deed of each of the lots, stipulating adequate maintenance and insuring passability.

- (5) When private drives are utilized, provision shall be made on the lots for the off-street parking of at least three (3) automobiles for each lot served by the private drive. Such additional off-street parking may be provided in a common and shared lot on the premises.
- (6) When the Engineer approves the use of private drives, such approval shall be entered in writing and filed with the City Clerk together with a copy of the deed restrictions which is required by Item (3) above.
- g. At a street and alley intersection, property line corners shall be rounded by an arc; minimum radii of which shall be ten (10) feet and five (5) feet, respectively. The street curb shall be rounded by a radius of at least fifteen (15) feet.

2. Street Requirements - Right-of-Way Widths.

- a. Collector or Secondary highways: Not less than sixty (60) feet wide in any case.
- b. Local streets: Fifty (50) feet wide for Flatland Subdivisions and forty (40) feet for Hillside Subdivision.
- c. Minor streets and dead-end streets: Forty (40) feet wide, terminating in a circular turn-around with a minimum right-of-way diameter of seventy-five (75) feet; a "Y" or "T" turn-around is also permissible.
- d. Easements for utilities, where required, shall be at least 20 feet wide and centered on rear or side lot lines, except where there is already in place a major utility service, then additional utility services may be located within 20 feet alongside the existing utility service.

3. Street Requirements - Minimum Pavement Widths.

- a. Pavement widths for collector streets will be as designed in the Thoroughfare Plan, or as determined by the Engineer. Where required to be provided as part of the subdivision, the Subdivider will be responsible for the total paved width of thirty-one (31) feet including curbs.
- b. Local streets, minor streets, and dead-end streets shall have minimum paved widths of twenty-five (25) feet without curbs.
- c. Pavement of a turning circle shall have a minimum outside diameter of sixty (60) feet.

4. Street Requirements - Grade, Curves and Sight Distances.

- a. The grades of any street or alley shall not be less than five-tenths (0.5) percent.
- b. Arterial, collector or secondary highways as designated by the Thoroughfare Plan shall be limited to a maximum grade of seven (7) percent.
- c. Local streets, minor streets, and dead-end streets shall be limited to a maximum grade of ten (10) percent for Hill Subdivisions.

- d. Alleys shall be limited to a maximum grade of ten (10) percent where they are primarily for residential service, but shall be limited to a maximum of eight (8) percent when used to provide service to commercial property.
- e. All changes in street grade of one (1) percent for more shall be connected by vertical curves. The length of the vertical curve will be determined on the basis of providing stopping-sight distances for each road classification where design-speed for arterial, collector, and secondary streets is forty (40) mph, local streets is twenty-five (25) mph, and minor streets, dead-end streets and alleys is twenty (20) mph. In no case shall the length of the required vertical curve be less than fifteen (15) times the algebraic difference in rate of grades for arterials, collectors and secondary streets or one-half ($\frac{1}{2}$) of this minimum for all other streets.
- f. The radii of curvature of the center line of the street shall not be less than that required to produce stopping sight distance as defined in item e. above. In no case, however, shall the radii of curvature for arterials, collectors and secondary streets be less than three hundred (300) feet or for local streets, minor streets, service drives, and alleys be less than fifty (50) feet.

5. Street Requirements - Construction Specifications.

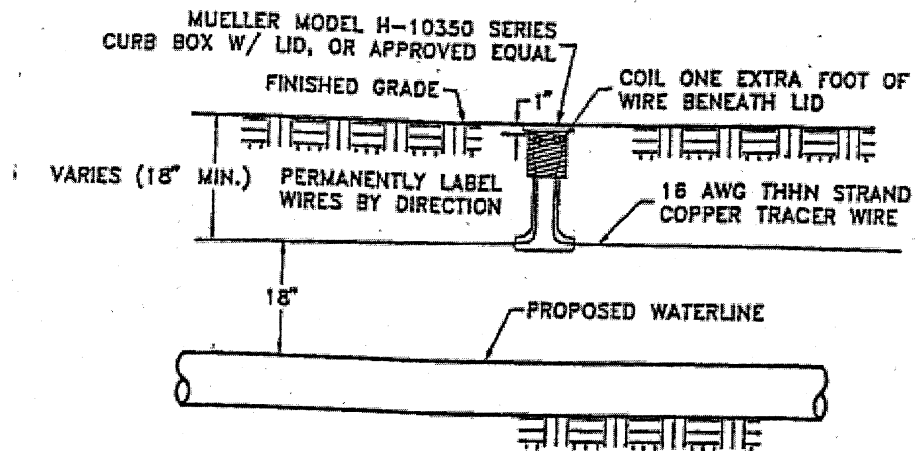
- a. Sub-grade shall be blade smooth to the correct slope and grade. All large stones, boulders, and debris shall be removed; sub-grade shall be free from organic materials, sludge, rubbish, brush, limbs, spongy or frozen soil, and other objectionable substances.
- b. One four (4) inch layer of one (1) to one and one-half (1-1/2) inch crushed stone or slag shall be spread and rolled to proper crown and contour.
- c. If surface is to be left as crushed stone or slag, a second layer of one quarter ($\frac{1}{4}$) to one-half ($\frac{1}{2}$) inch, two (2) inches thick, shall be spread and rolled. In the case of a stone road surface, the developer will be responsible for the maintenance of the road in condition satisfactory to the City for a period of two (2) years following the assumption of residence by the first homeowner in the Subdivision or Development. Such responsibility shall be made a matter of record in all deeds pertinent to the subdivision, along with the expiration date for such responsibility.
- d. If the surface is to be cement concrete, a minimum of six (6) inches of 4,000 pound test cement concrete with proper expansion joints shall be placed over the first stone course described in b. above. Reinforcing shall be determined by the Engineer.
- e. If the surface is to be asphaltic concrete, one (1) emulsion coat shall be sprayed on the first stone course, and four (4) inches of asphaltic concrete shall be laid and rolled in two (2) courses of two (2) inches each.
- f. The developer is not responsible for maintenance of cement or asphaltic concrete surfaces once the finished street is accepted by the City or the County unless further development activity by the developer causes damage to the surface, in which case the developer will be responsible for acceptable repairs.

6. Other Requirements.

Upon submission of plans and drawings for construction of streets to the Municipal Planning Commission, the Commission may make such further requirements and recommendations as may be dictated by the specific needs of a particular subdivision or development, and such additional recommendations or requirements shall be adopted by the Engineer unless the Engineer determines that the recommendations or requirements are contrary to any of the other provisions of this article for otherwise without any merit. The Engineer shall also make such additional requirements for the construction of any streets as he deems necessary due to the specific nature of any subdivision or development.

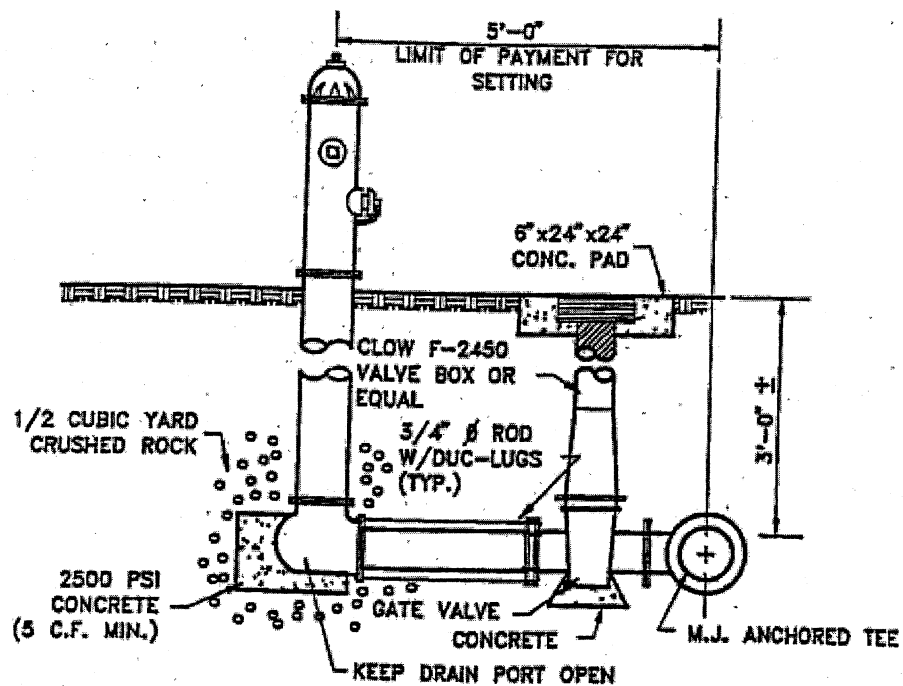
APPENDIX B
CONSTRUCTION DETAILS

WATER

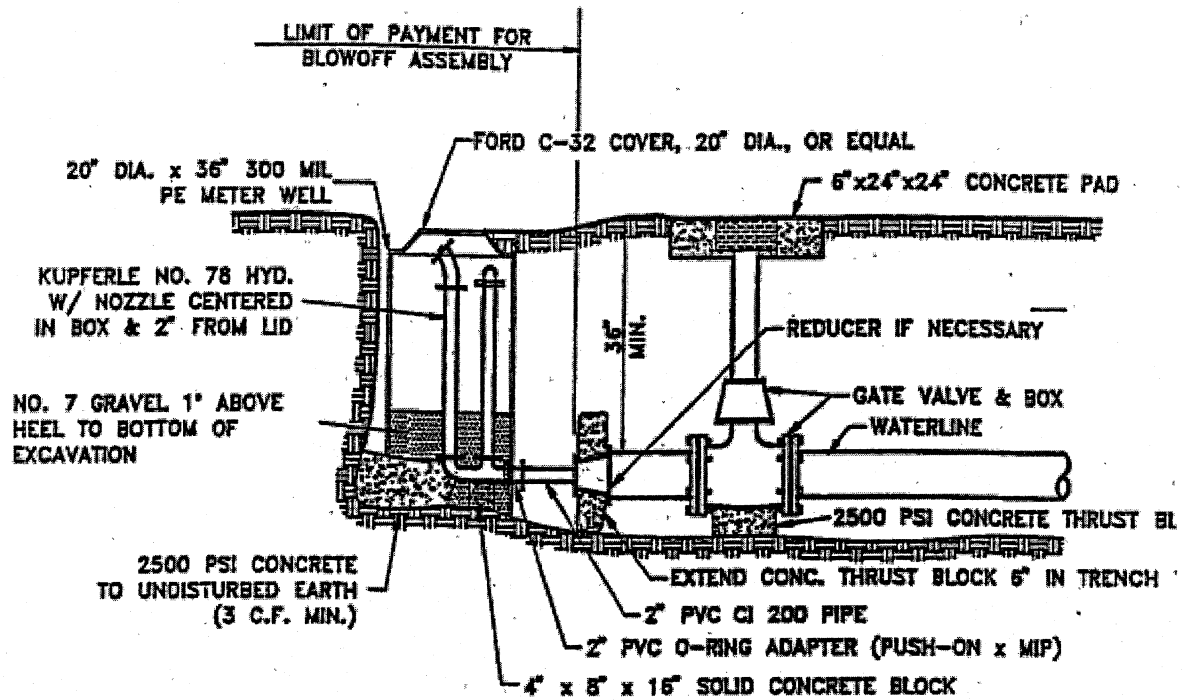


TYPICAL TEST STATION DETAIL

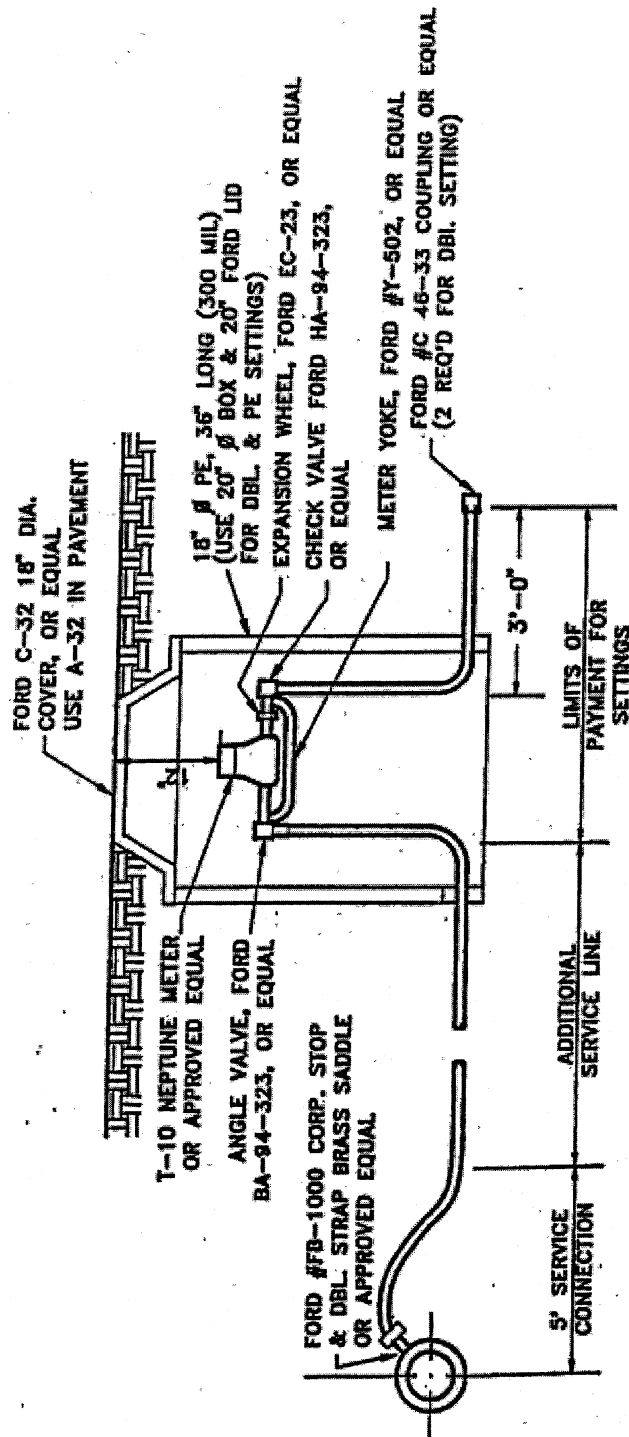
N.T.S.



TYPICAL HYDRANT ASSEMBLY

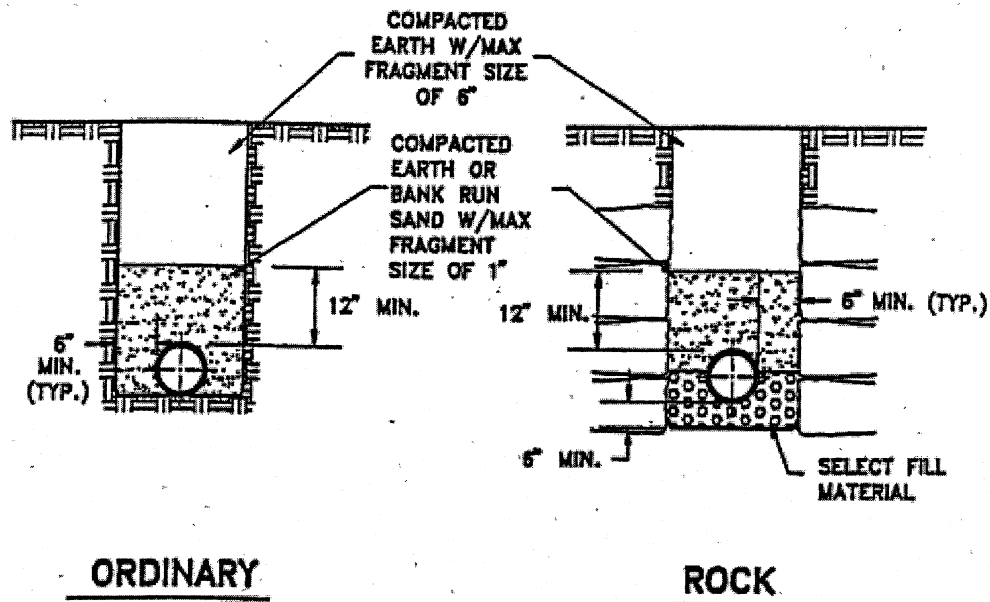


TYPICAL BLOWOFF ASSEMBLY

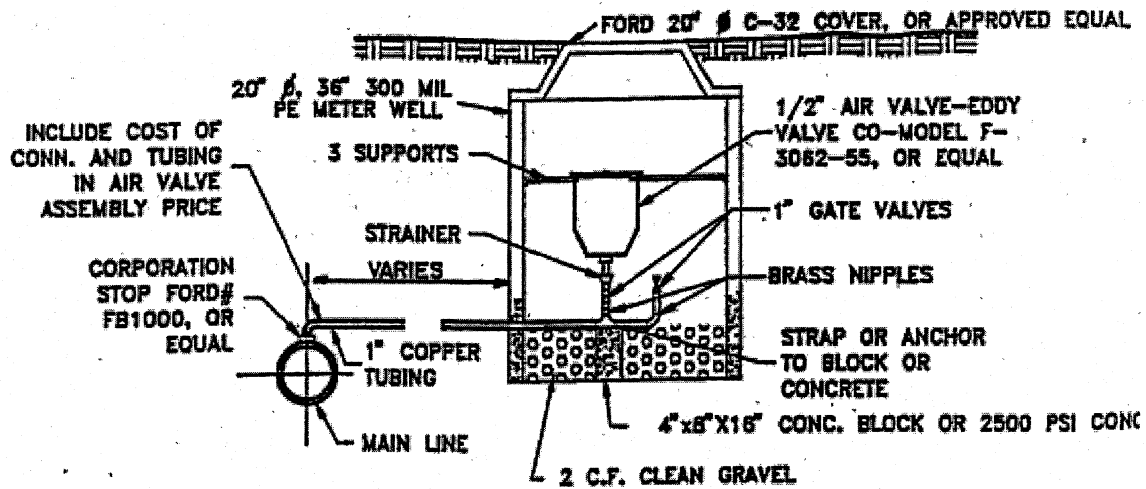


NOTE: FOR DOUBLE SETTING USE U-BRANCH FORD #U-48-43-7 1/2 AND ADDITIONAL VALVES AND METER AS SHOWN ABOVE. FOR PRESSURE REDUCING SETTING, USE WILKINS NO., 600 REDUCING VALVE, METER, PRV YOKE ADAPTERS, FORD TWIN YOKE ASSEMBLY & ANGLE VALVES FOR SINGLE SETTING.

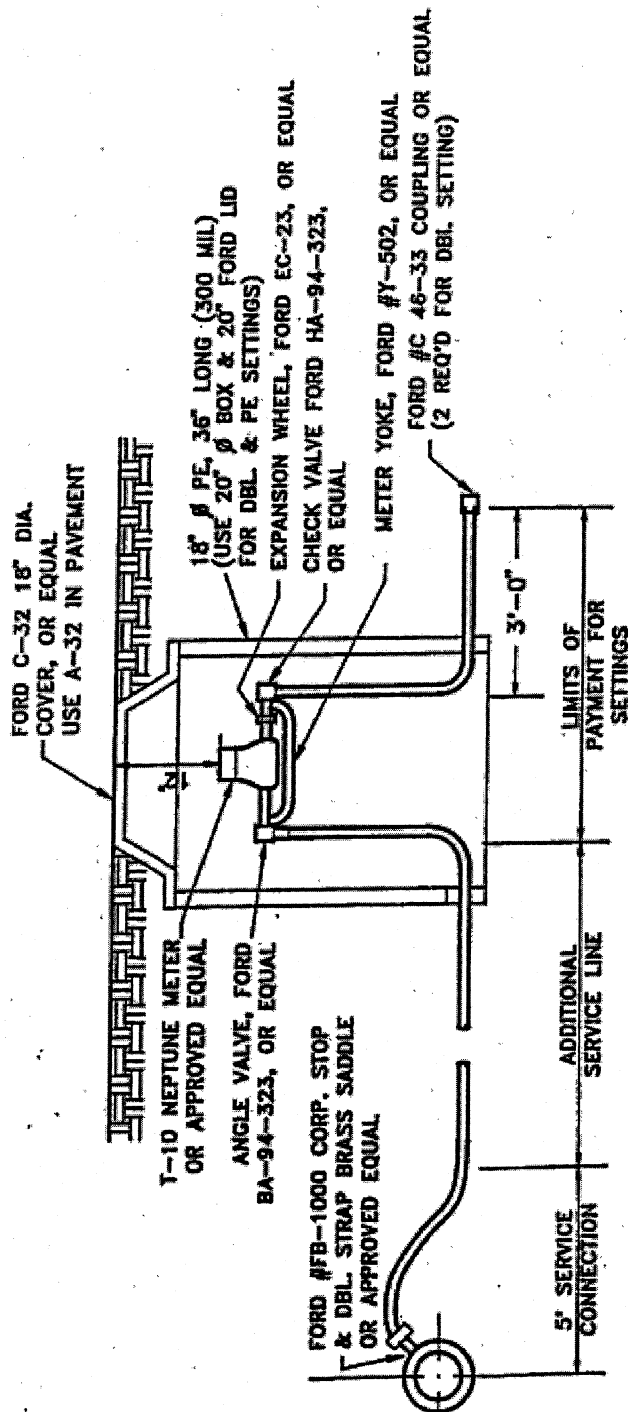
TYPICAL METER SETTING AND SERVICE CONNECTION



TYPICAL BEDDING

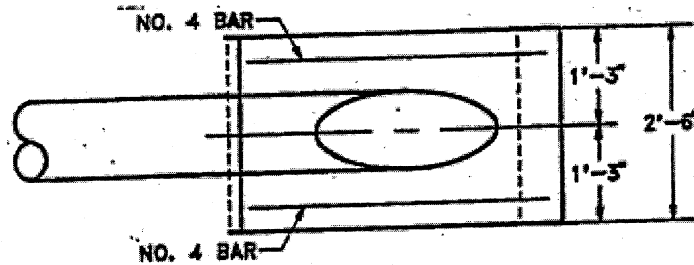


TYPICAL AIR VALVE ASSEMBLY

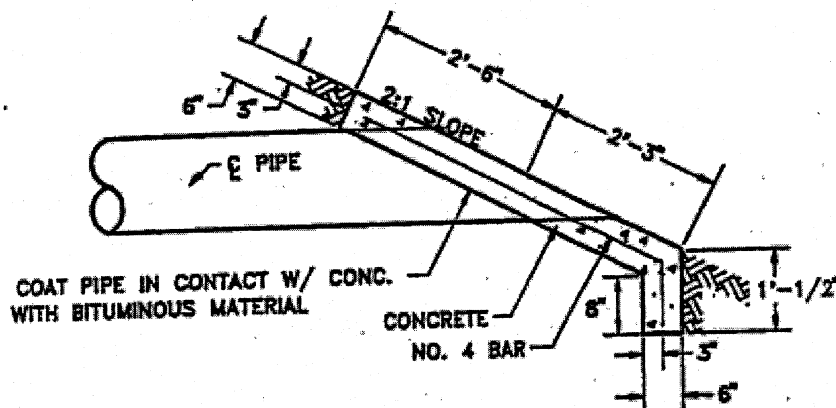


NOTE: FOR DOUBLE SETTING USE U-BRANCH FORD #U-48-43-7 1/2 AND ADDITIONAL VALVES AND METER AS SHOWN ABOVE, FOR PRESSURE REDUCING SETTING, USE WILKINS NO., 600 REDUCING VALVE, METER, PRV YOKE ADAPTERS, FORD TWIN YOKE ASSEMBLY & ANGLE VALVES FOR SINGLE SETTING.

TYPICAL METER SETTING AND SERVICE CONNECTION

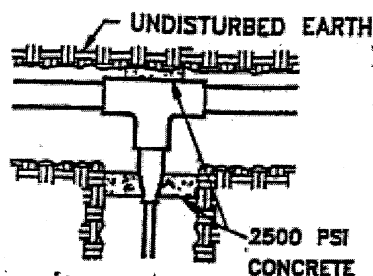


PLAN

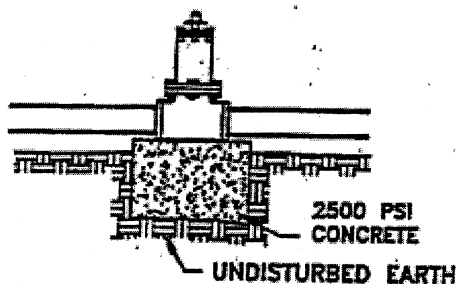


SECTION

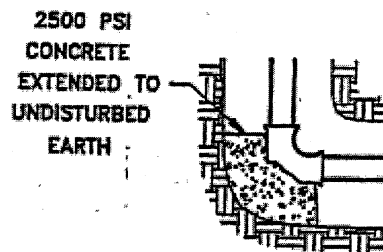
SLOPE WALL DETAIL



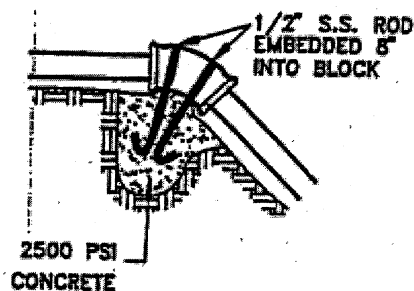
**HORIZONTAL TEES
AND REDUCERS**



VALVE BASES



HORIZONTAL BENDS



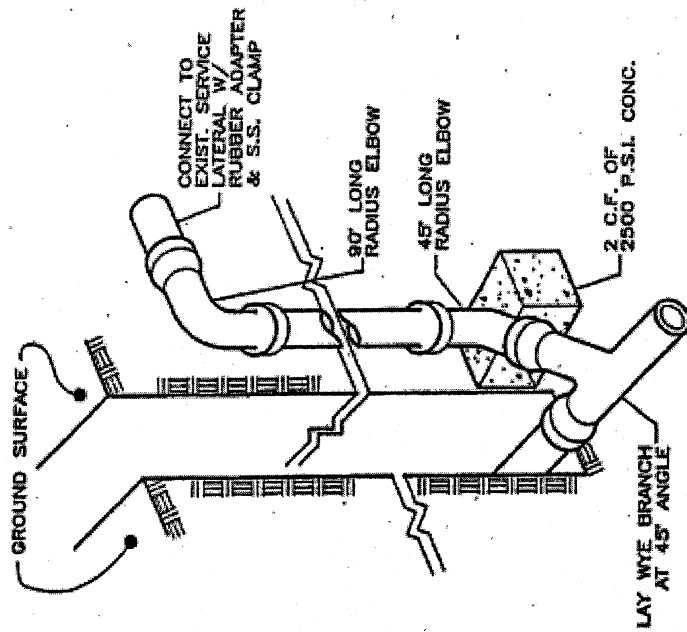
VERTICAL BENDS

TYPICAL THRUST BLOCKING

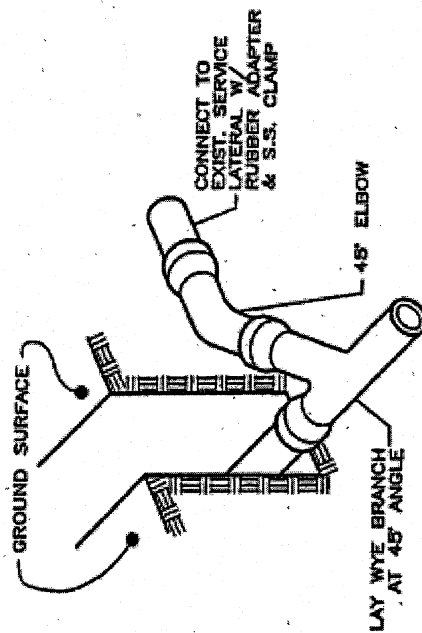
NOTE: SEE SCHEDULE THIS SHEET, MINIMUM THICKNESS FROM BOTTOM SURFACE OF BLOCK TO TOP SURFACE OF BLOCK SHALL BE 18".

THRUST BLOCK REQUIREMENTS (SQUARE FEET OF CONCRETE)						
PIPE SIZE	TEES & DEAD END	90° BENDS	45° BENDS	REDUCERS, 11 1/4° 22 1/2° BENDS	VALVES	VERTICAL BEND
2"	1.0	1.0	1.0	1.0	0.5	5 C.F.
4"	1.4	2.0	1.1	1.0	0.75	8 C.F.
6"	2.9	4.1	2.2	1.5	1.0	15 C.F.
8"	5.0	7.0	3.8	2.0	1.5	30 C.F.
10"	8.1	11.4	6.3	4.0	1.5	45 C.F.
12"	11.5	16.8	8.9	5.0	2.0	60 C.F.
14"	15.6	22.0	12.0	7.0	2.5	100 C.F.
16"	20.2	28.5	15.4	9.0	3.0	150 C.F.

SEWER



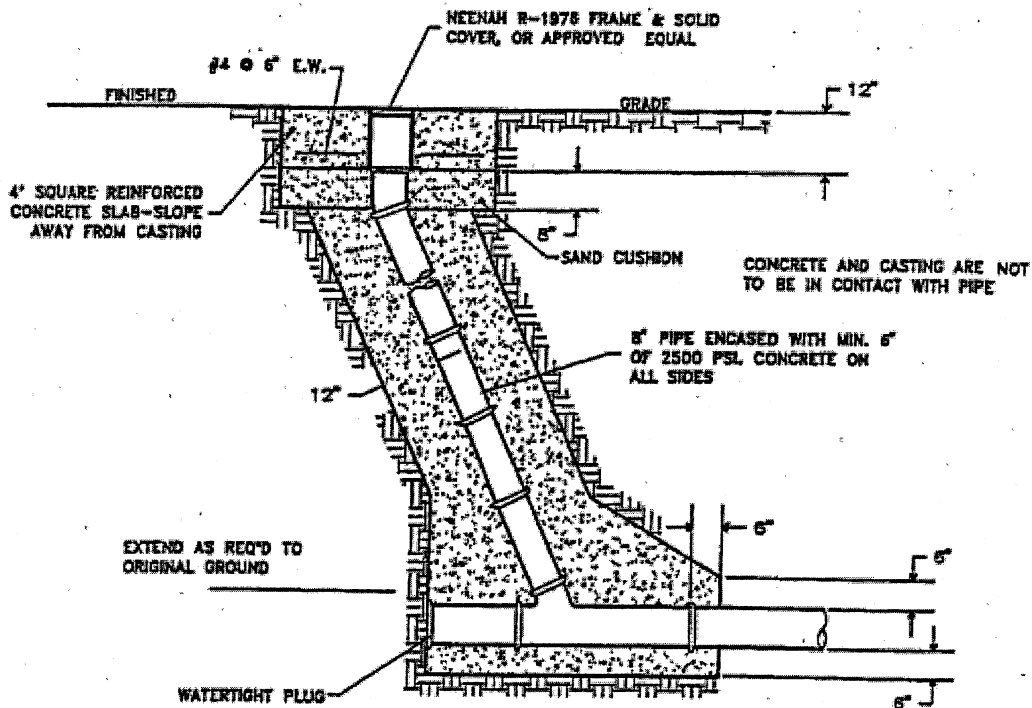
VERTICAL RISER



STANDARD

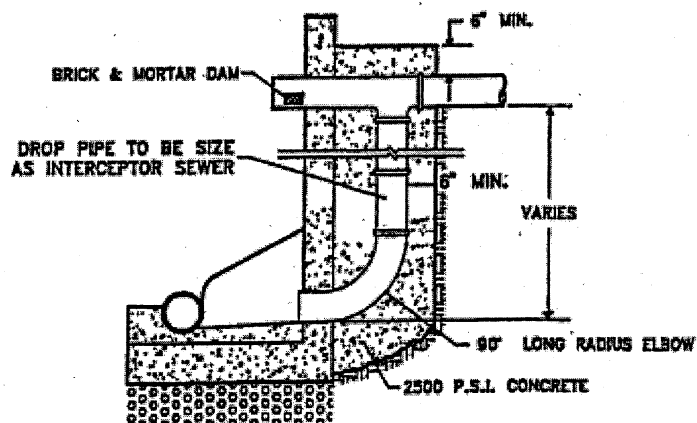
TYPICAL SERVICE LATERAL CONNECTION

SCALE: NONE



TYPICAL CLEANOUT

SCALE: NONE



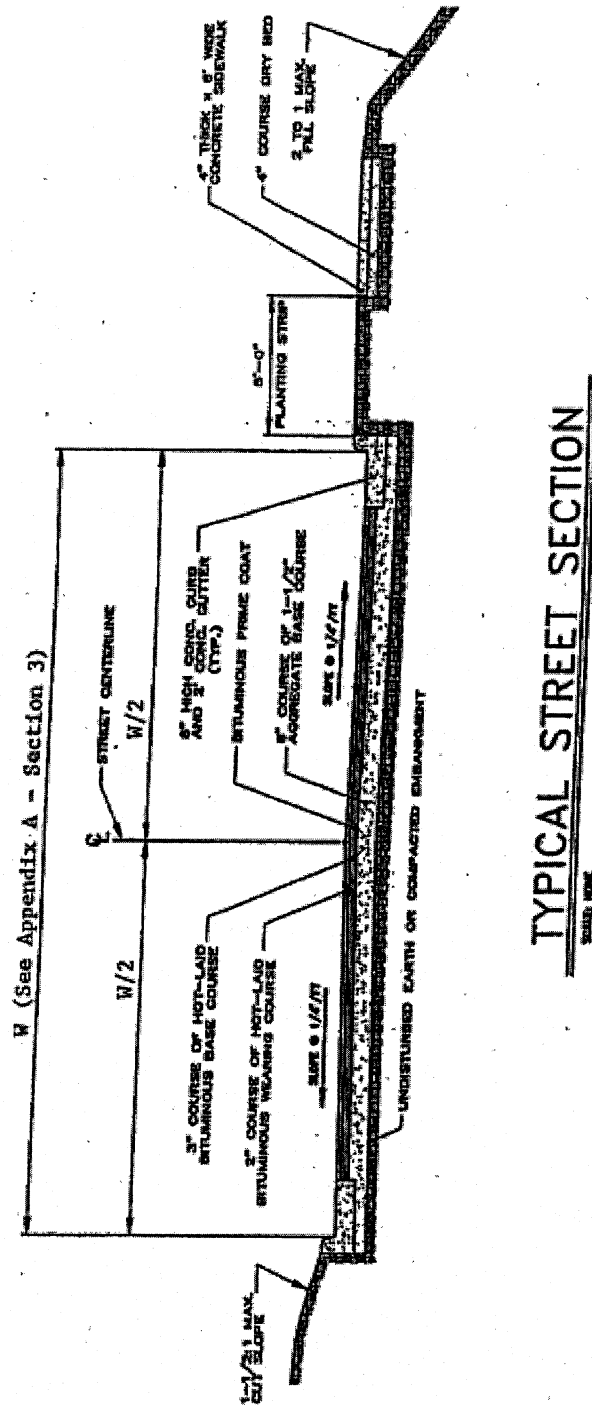
TYPICAL DROP CONNECTION

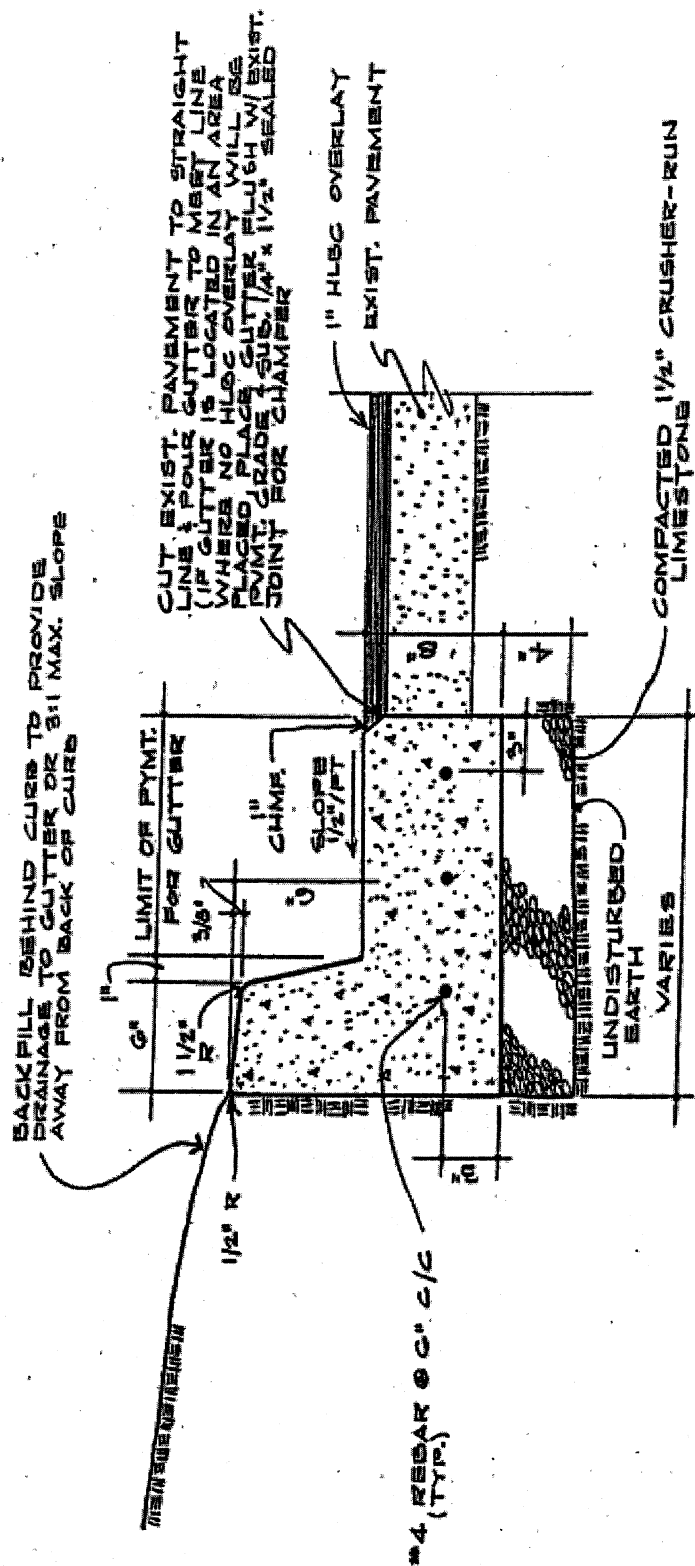
SCALE: NONE



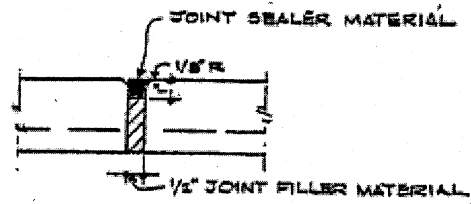
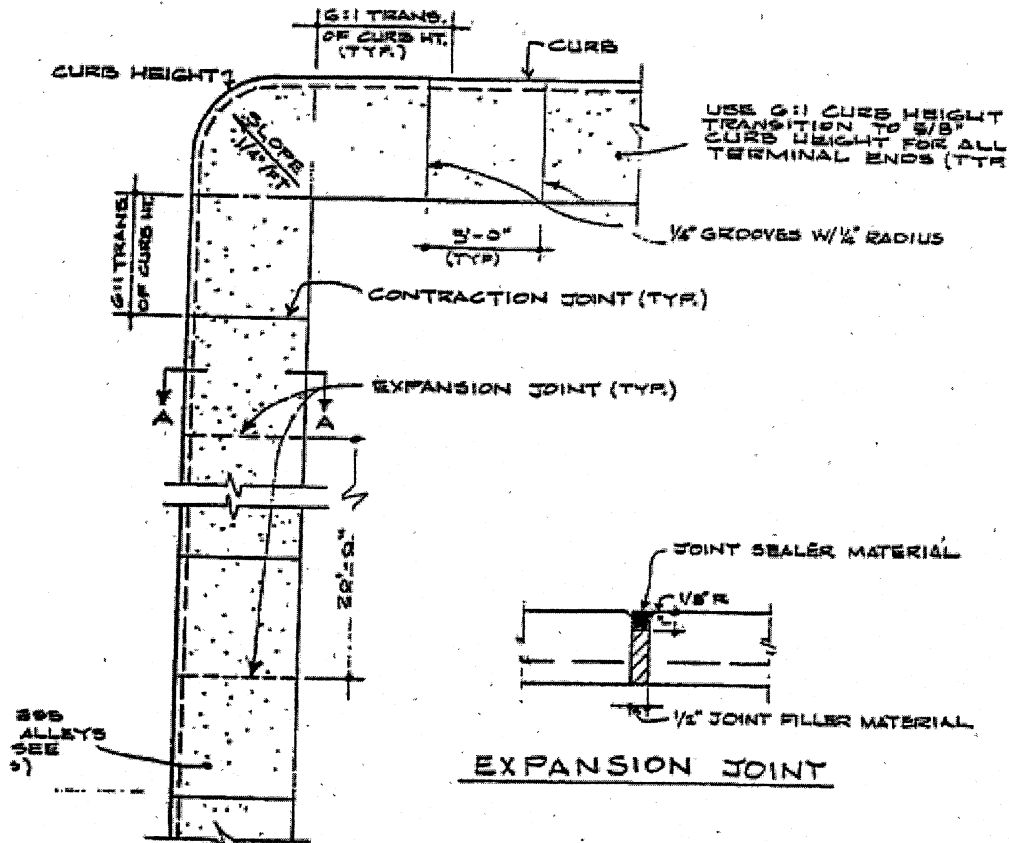
SCALE: NONE

STREET

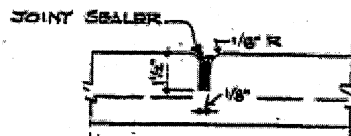




TYPICAL CURB & GUTTER



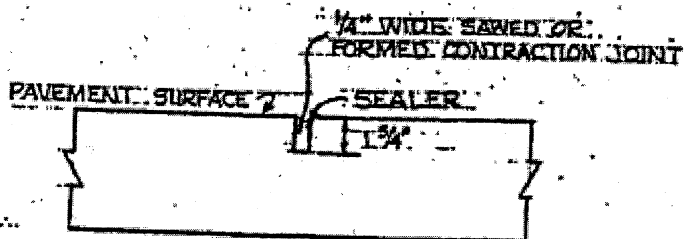
EXPANSION JOINT



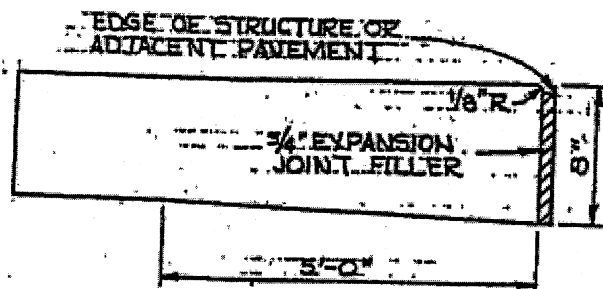
CONTRACTION JOINT

TYPICAL SIDEWALK DETAIL

N.T.S.

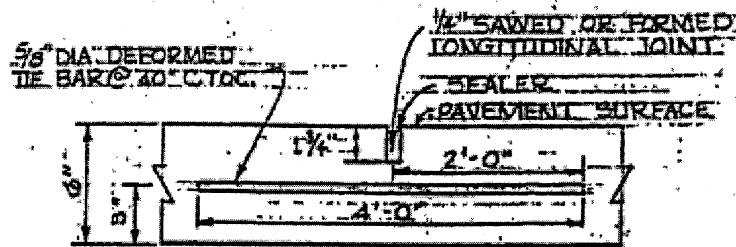


TYPICAL CONTRACTION JOINT DETAIL
TYPE A JOINT
 NO SCALE

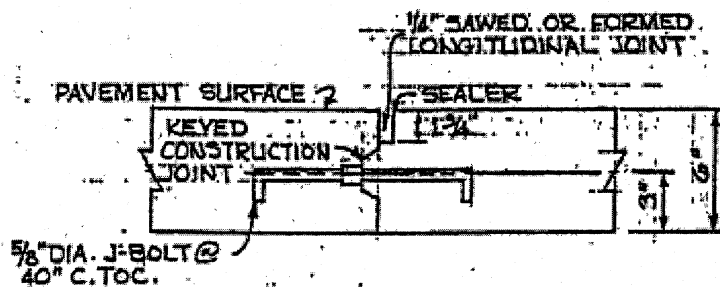


TYPICAL EXPANSION JOINT DETAIL
TYPE B JOINT
 NO SCALE

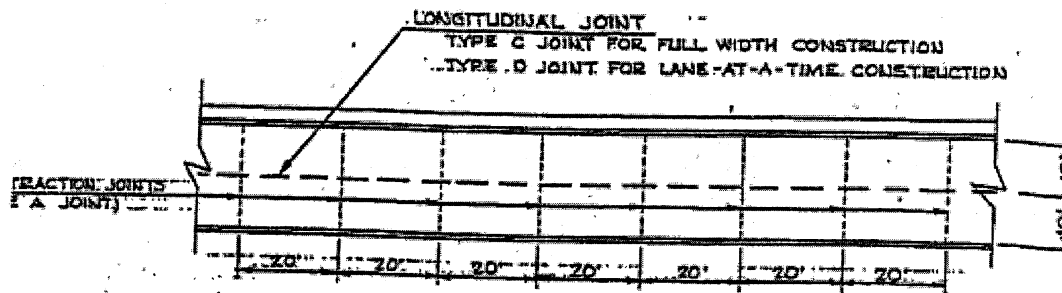
NOTE :
 EXPANSION JOINTS TO BE USED AT END OF DAYS
 PAVING OR WHERE PAVEMENT IS CONSTRUCTED
 ADJACENT TO STRUCTURES OR EXISTING PAVEMENT.



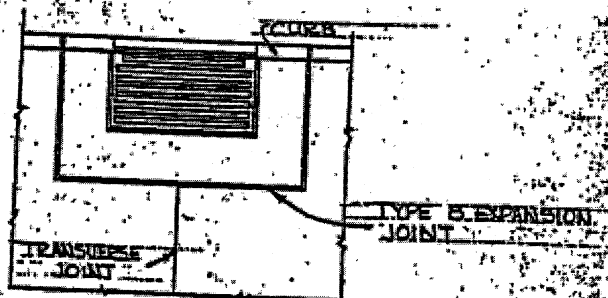
TYPICAL LONGITUDINAL JOINT DETAIL
TYPE C JOINT (FOR FULL WIDTH CONSTRUCTION)
 NO SCALE



TYPICAL LONGITUDINAL JOINT DETAIL
TYPE D JOINT (LANE-AT-A-TIME CONSTRUCTION)
 NO SCALE



TYPICAL JOINT LAYOUT
FOR PORTLAND CEMENT CONCRETE PAVEMENT

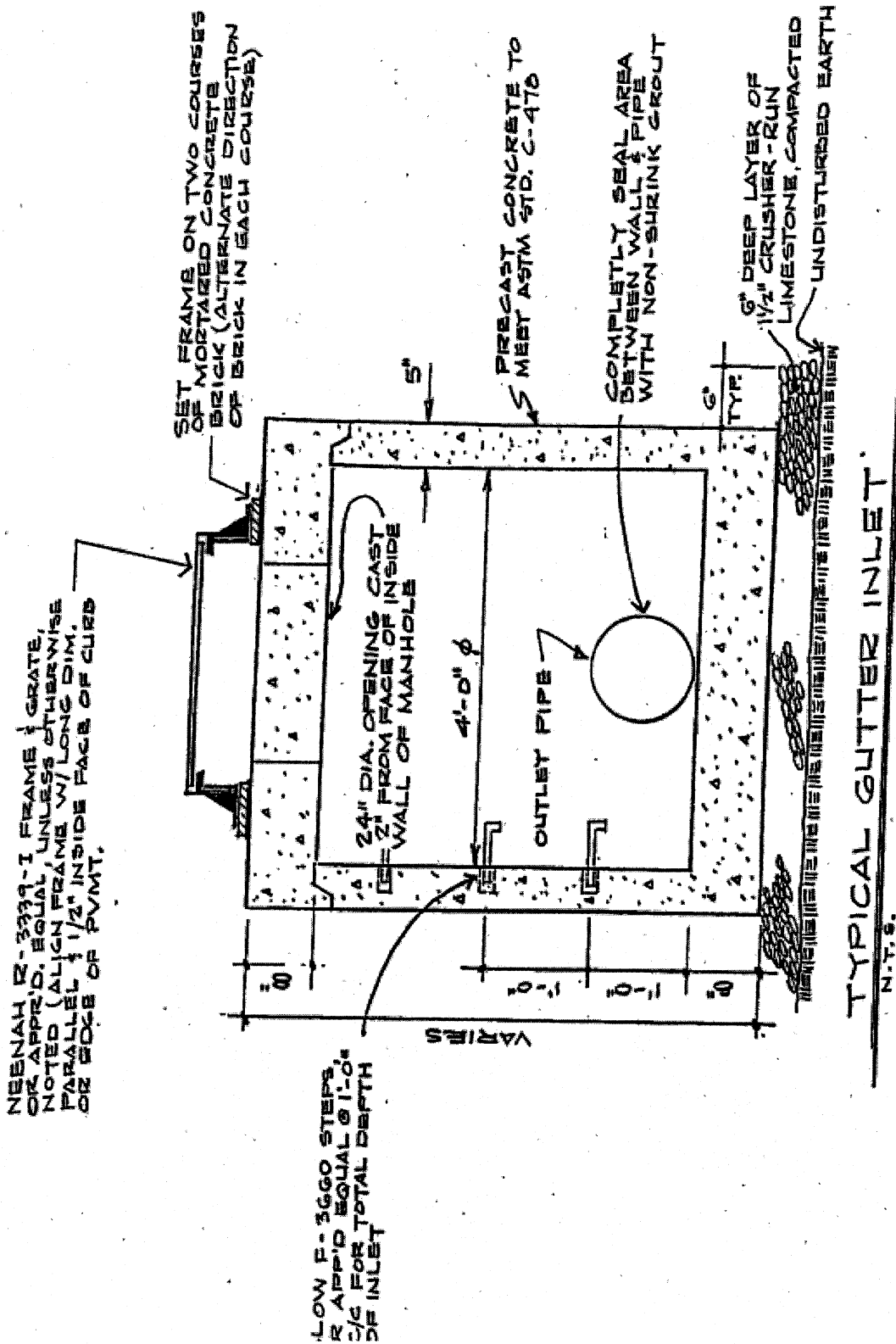


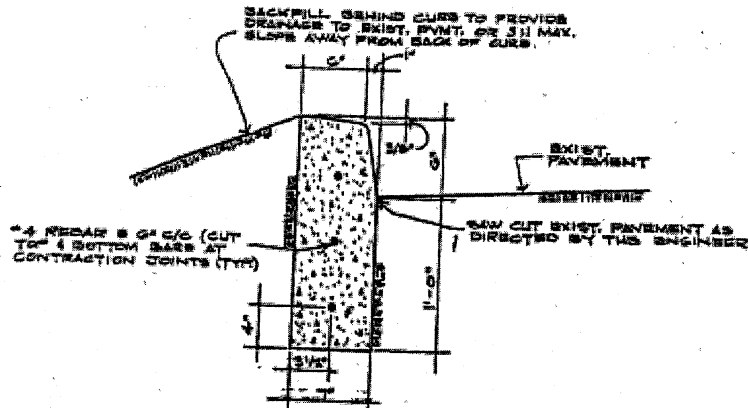
TYPICAL CATCH BASIN BOXOUT

NO SCALE

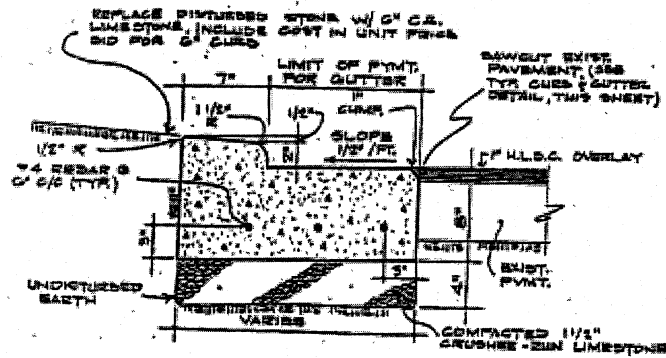
NOTE:

1. ALL CATCH BASINS SHALL BE SEPARATED FROM THE PAVEMENT AND CURB BY BOXING OUT AROUND BASIN AS SHOWN ABOVE. EXPANSION JOINT MATERIAL SHALL EXTEND COMPLETELY THROUGH CURB AND SLAB. MANHOLE CASTINGS WITHIN THE PAVEMENT LIMITS SHALL BE BOXED IN LIKE MANNER EXCEPT WHEN TELESCOPING TYPE CASTINGS ARE USED.
2. WHEN A JOINT FALLS WITHIN 5 FT. OF OR CONTACTS BASIN'S MANHOLE OR OTHER STRUCTURES SHORTEN ONE OR MORE PANELS EITHER SIDE OF OPENING TO PERMIT JOINT TO FALL ON ROUND STRUCTURES AND AT OR BETWEEN CORNERS OF RECTANGULAR STRUCTURES.

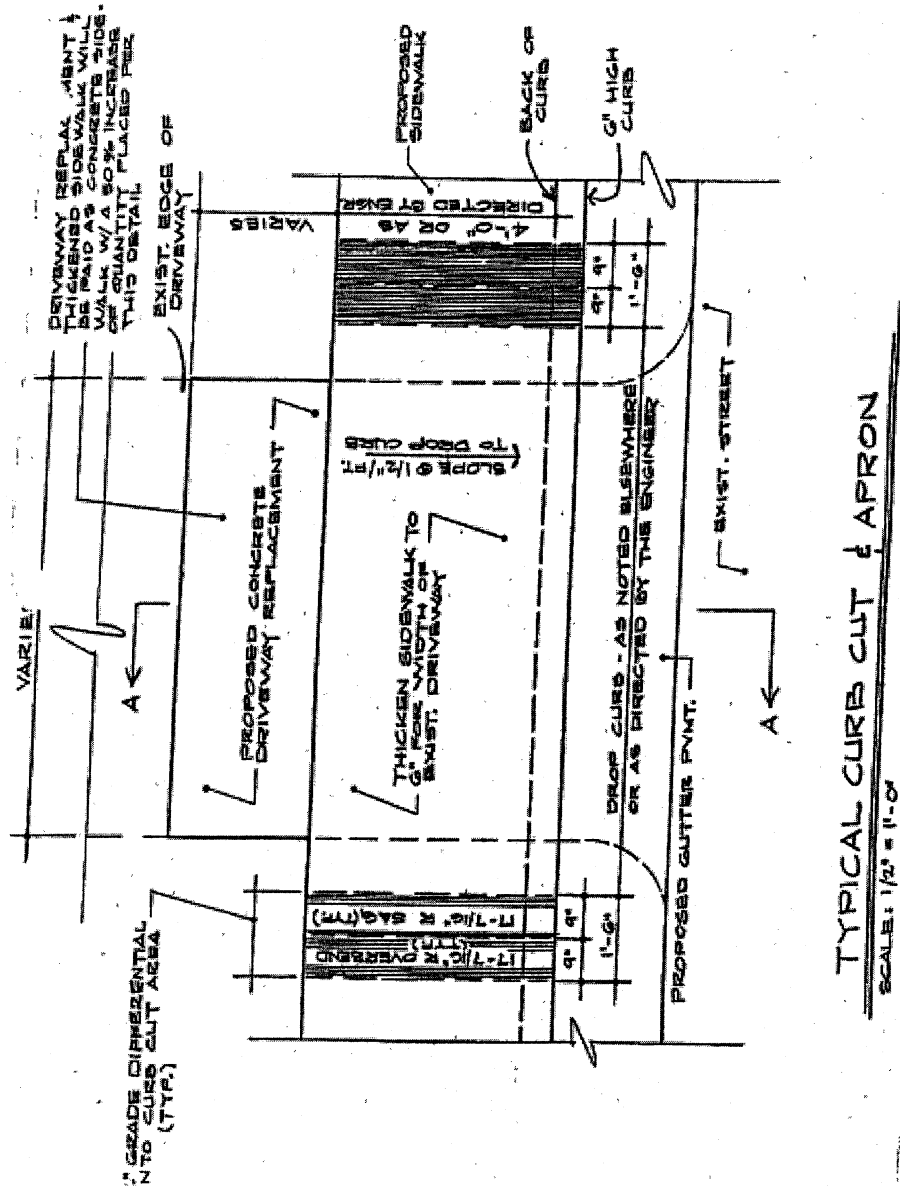




TYPICAL CURB



TYPICAL DROP CURB & GUTTER

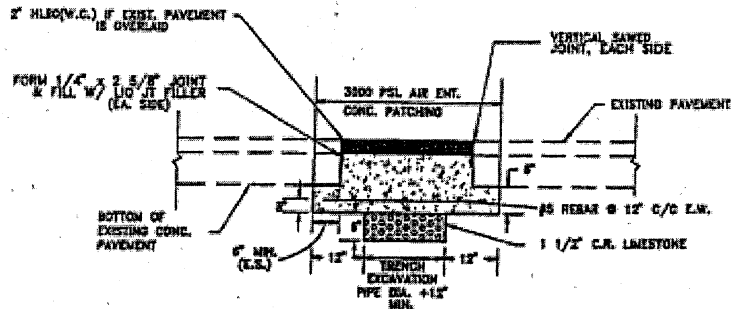




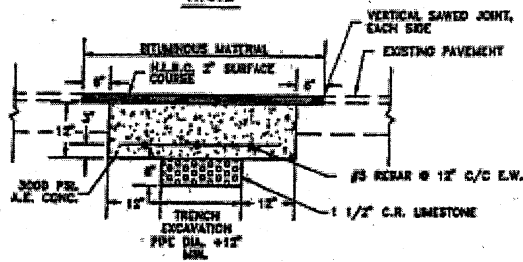
SCALE: NONE



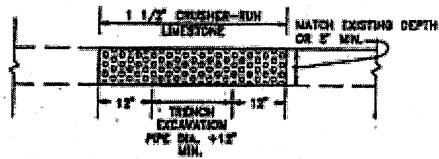
MISCELLANEOUS



RIGID

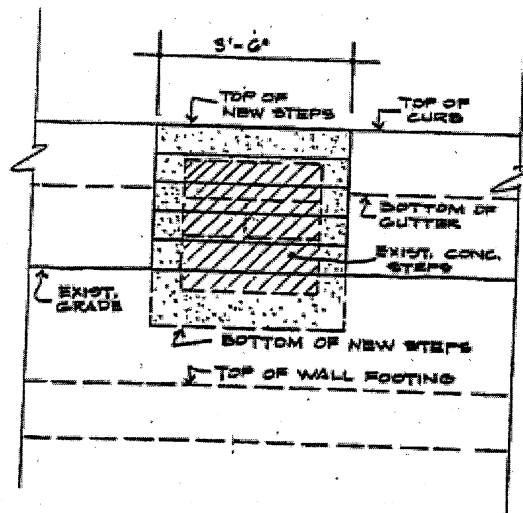


FLEXIBLE

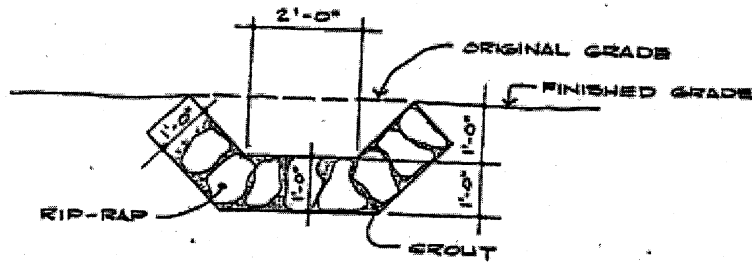


UNSURFACED

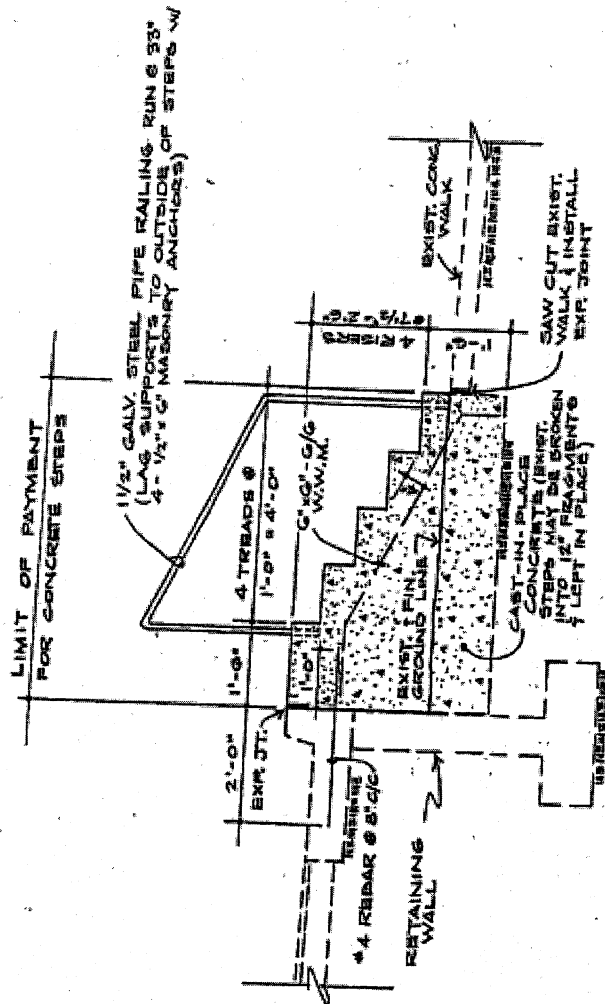
PAVEMENT REPLACEMENT



FRONT ELEVATION - CONCRETE STEPS
SCALE: NONE



TYPICAL GROUTED RIP-RAP



TYPICAL SECTION - CONCRETE STEPS
SCALE: NONE