

## ARTICLE I. IN GENERAL

### Sec. 90-1. Title of chapter.

This chapter constitutes and may be referred to as "The Subdivision Regulations of Ava, Missouri."

(Code 1977, § 43.100)

### Sec. 90-2. Purpose and authority of chapter.

To further promote and secure the health, safety and general welfare of the present and future citizens of the city; to provide for the location and width of streets, building lines, open spaces, utilities, access for firefighting apparatus, recreation, light and air, and for the avoidance of congestion of population; to provide the manner in which streets shall be graded and improved, and the extent to which water, sewers and other utility services shall be provided; to ensure logical community growth, the following regulations for the subdividing of land within the limits of the jurisdiction of the city are adopted under the authority granted by RSMo 89.300--89.490 and amendments thereto.

(Code 1977, § 43.110)

### Sec. 90-3. Jurisdiction of chapter.

This chapter shall apply to the following forms of subdividing and redividing of land within the jurisdiction of the city planning commission in accordance with the major street plan adopted as part of the comprehensive development plan of the city:

- (1) The subdivision of a lot, tract or parcel of land into two or more lots, tracts or other division of land for the purpose of sale or of building development, whether immediate or future, including the resubdivision or replatting of such land or lots.
- (2) The dedicating, vacating or reserving of a public or private easement through any tract of land, regardless of the area involved, including those for use by public and private utility companies.
- (3) The dedicating of any street or alley through any tract of land regardless of the area involved.
- (4) No person, owner or agent shall record in the office of the recorder of deeds any plat or subdivision of any lands within the jurisdiction of the city, until such plat has been approved in conformity with the provisions set forth in this chapter.

(Code 1977, § 43.120)

### Sec. 90-4. Definitions.

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

*Alley* means a dedicated right-of-way for public use giving secondary vehicular access to properties otherwise abutting a street.

*Block* means a series of lots entirely surrounded by public right-of-way, railroad rights-of-way, parks, greenstrips or open land.

*Building line* means a line indicating the setback requirements on certain major streets in the city.

*Common sewage disposal system* means a sewage vault, septic tank and lateral field, sewage treatment plant, sewage lagoon or other sanitary means of disposing of waste materials, with the right of unrestricted use by two or more occupants of separate lots.

*Common water supply* means a well or other sanitary source of water for human consumption, with the right of unrestricted use by two or more occupants of separate lots.

*Developer.* See *Subdivider.*

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

*Lot* means a subdivision of a parcel of land intended for development or transfer of ownership, whether immediate or future.

*Lot, corner* means a lot located at the intersection of land abutting two or more streets.

*Planning commission* means the city planning or zoning commission.

*Plat, final* means a map of land subdivision prepared in a form suitable for filing of record with necessary affidavits, dedications and acceptance, and with complete bearings and dimensions of all lines defining lots and blocks, streets, alleys, public areas and other dimensions of land.

*Plat, preliminary* means a map of a proposed land subdivision showing the character and proposed layout of the tract in sufficient detail to indicate the suitability of the proposed subdivision of land.

*Street* means a way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, land, place or however otherwise designated.

*Street, arterial* means a street designed for, or used primarily for, fast or heavy traffic.

*Street, collector* means a street designed for or used primarily to carry traffic from minor streets to the major street system (arterials, etc.), including the principal entrance streets of residential development.

*Street, cul-de-sac* means a minor street having one end open to vehicular traffic and having one closed end terminated by a turnaround.

*Street, limited access* means a minor street auxiliary to and located on the side of a major or arterial street for service to abutting properties and adjacent areas and for control of access.

*Street, minor* means a street designed for, or used primarily for, access to abutting properties.

*Street, private* means any street not dedicated to the city or county as a public thoroughfare.

*Subdivider* means any persons, firm, partnership, corporation or other entity acting as a unit, subdividing or proposing to subdivide land.

*Subdivision* means the division or redivision of land into two or more lots, tracts, sites or parcels for the purpose of transfer of ownership or development.

(Code 1977, § 43.130)

**Cross references:** Definitions generally, § 1-2.

**Sec. 90-5. City not obligated to expend funds.**

The city shall not be obligated for the expenditure of any funds whatsoever under and pursuant to the terms of this chapter unless and until the board of aldermen shall have approved such expenditure by a majority vote.

(Code 1977, § 43.740)

**Sec. 90-6. Comprehensive plan compliance.**

The subdivision layout shall conform to the official major street plan or other elements of the comprehensive plan. Whenever a tract to be subdivided embraces any part of a highway, thoroughfare or other major or collector street so designated on said plan, such part or such public way shall be platted by the developer in the location and at the width indicated in the plan.

(Ord. No. 727, 4-24-07)

Secs. 90-7--90-40. Reserved.