

ORDINANCE NO. 411

AN ORDINANCE SETTING FORTH REGULATIONS AND GUIDES FOR THE SUBDIVISION OF LANDS WITHIN THE TOWN OF BERTHOUD AND PROVIDING FOR STANDARDS AND PROCEDURES IN CONNECTION THEREWITH; AND

AN ORDINANCE RELATIVE TO MINIMUM RIGHTS OF WAY FOR STREETS WITHIN THE TOWN OF BERTHOUD.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, LARIMER COUNTY, COLORADO:

Section 1.

Any and all Ordinances or provisions relative to Subdivision procedure not in conformity with the following Ordinance which shall hereafter be known and referred to as Chapter 22 of the Code of the Town of Berthoud are hereby repealed.

Section 2.

Chapter 22 of the Code of the Town of Berthoud shall hereafter read as follows:

ARTICLE I

DEFINITIONS

22.1 For the purpose of this Ordinance, which should be known and may be cited as "Subdivision Ordinance of the Town of Berthoud, Colorado", certain words used therein are defined as follows:

22.1-1 LOT. A portion of a subdivision intended as a unit for transfer of ownership or for development.

22.1-2 PLANNING COMMISSION. The Planning and Zoning Commission of the Town of Berthoud, as established by the Berthoud Town Board.

22.1-3 STREETS AND ALLEYS.

STREET. A way for vehicular and pedestrian traffic, whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place or however otherwise designated.

ALLEY. A minor or secondary way which is used primarily for vehicular service access to the back or side of properties otherwise abutting on a street.

MAJOR ARTERIAL. A through street used primarily for heavy vehicular speeds or heavy volumes of traffic.

MINOR ARTERIAL. A street used primarily to carry traffic between neighborhoods.

COLLECTOR. A street which will carry moderate volumes of traffic from local streets to minor arterial and major arterial streets.

LOCAL. A street used primarily for access to the abutting properties and which will carry limited volumes of traffic.

CUL DE SAC OR DEAD END STREET. A local street with only one outlet.

22.1-4 SUBDIVIDER. Any individual, firm, association, syndicate, copartnership, corporation, trust or any other legal entity who has a proprietary interest in the land sought to be subdivided and who commences proceedings under this Ordinance to effect a subdivision of land hereunder for himself and/or for any co-owners.

22.1-5 SUBDIVIDE. To divide a parcel of land into two or more lots for the purpose of transfer of ownership or building development.

22.1-6 TOWN. The Town of Berthoud, Colorado.

22.1-7 TOWN BOARD. The Town Board of the Town of Berthoud, Colorado.

## ARTICLE II

### SUBDIVISION PLAT REQUIRED

22.2 UNRECORDED PLATS. No owner or agent of the owner of any land located within the Town of Berthoud shall subdivide any such land before the subdivision procedure as outlined in the Town of Berthoud Procedural Booklet has been completed.

## ARTICLE III

### FINANCIAL SECURITY FOR COMPLETION OF UTILITIES

22.4 The subdivider shall enter into a contract with the Town which contract shall give the Town full assurance that all improvements, including, but not limited to, streets, street lights, drainage facilities, utilities, walks and gutters, shall be completed by the subdivider to Town specifications. Such approved subdivision plat may be divided into predetermined segments; each segment providing full utility service and street access. No building permit shall be issued to such segment until full financial security is provided to the Town of Berthoud for all improvements not completed in such segment. Such financial security may be in the form of corporate surety bond, funds in escrow or such other means as shall be approved by the Town Board.

A statement that the initial installation of improvements, including, but not limited to, water system, sanitary sewer system, gas service, electrical service, grading and landscaping, storm sewer system, curbs and gutters, street pavement and sidewalks shall not be the responsibility of the Town of Berthoud, unless specifically agreed to by the Town in writing.

## ARTICLE IV

### STREET WIDTHS AND GRADES

22.5 The following minimum street widths and grades will apply in the layout of Town subdivisions:

CLASSIFICATION	R.O.W.	ROADWAY	MIN. GRADE	MAX. GRADE
Major Arterial	100-120'	48-68'	0.4	5%
Minor Arterial	80'	44'	0.4	5%
Collector Streets	75'	44'	0.4	5%
Local Streets				
Residential Area	60'	40'	0.4	5%
Commercial Area	60'	44'	0.4	5%
Industrial Area	60'	44'	0.4	5%
Cul De Sacs	50'	40'	0.4	10%
Cul De Sacs Turnaround	110'	100' diameter	0.4	5%
Alleys	Min.	20'	15'	

### 22.5-1 ACCEPTANCE OF PUBLIC STREETS

A. Approval of a final plat by the Town Board and recording thereof with the County Clerk and Recorder, imposes no obligation on the Town to install and maintain streets or alleys shown on such plats.

B. Installation of streets and alleys shall not be the responsibility of the Town and maintenance of streets and alleys shall be provided by the Town only after such streets and alleys are installed to Town specifications and are thereafter accepted by a formal resolution of the Town Board.

ARTICLE V

GENERAL PROVISIONS.

22.6-1 VALIDITY. Should any section, clause, or provision of this Ordinance be declared by any court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part so declared to be invalid.

22.6-2 REPEALS. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

This Ordinance was introduced, read, passed on first reading and ordered published by the Board of Trustees of the Town of Berthoud at its meeting held this 11 day of November, 1975.

TOWN OF BERTHOUD

R.B. Pickel  
\_\_\_\_\_  
Mayor

ATTEST:

Carol A. Mayo  
\_\_\_\_\_  
Town Clerk

Published: 11-20-75