

ARTICLE II, . ROAD ACCEPTANCE REQUIREMENTS ^{EN}

§ 18-23. Definitions.

As used in this article, the following terms shall have the meanings indicated:

Arterial road shall mean any road which moves a large volume of vehicles from one part of town to another.

Base course shall mean that material placed directly below the wearing surface.

Collector street shall mean any road which accepts traffic from local streets and conducts it to arterials. "Collector streets" are classified as "major" or "minor" based on the volume of traffic carried.

Commission shall mean the Planning Commission of the Town of New Milford, Litchfield County, Connecticut.

Engineer shall mean the Town Engineer or the Director of Public Works of the Town of New Milford, Connecticut.

Existing contours shall mean those contours reflecting existing physical features of an area of land, based on approximate United States Coast and Geodetic Survey mean sea level datum.

Highway shall mean street and shall be that portion between street lines.

Local service street shall mean any road which provides access to property abutting its public right-of-way. Through traffic movement is a secondary function of the local street.

Monument or *Merestone* shall mean an object set permanently in the earth to mark a boundary.

Performance guaranty bond shall mean a surety bond furnished by a subdivider or contractor conditioned upon the performance of work in accordance with the provisions of an approved proposal or contract. The surety on said bond shall be a surety company authorized to do business in the State of Connecticut.

Right-of-way shall mean the land included between those street lines dedicated by deed for highway purposes.

Selectmen shall mean the Board of Selectmen of the Town of New Milford.

Street or *streets* shall mean and include avenues, boulevards and roads.

Street line shall mean the limits of that portion dedicated for highway purposes.

Subbase shall mean that course of material placed directly above the prepared subgrade as specified.

Subgrade shall mean existing ground surface prepared as specified and brought to grade as indicated to receive a subbase course.

Surety shall mean that corporate body which is bound with and for the subdivider or contractor, who is primarily liable to the Town of New Milford and which engages to be responsible for the subdivider or contractor for his payment of all debts covering all materials and labor used or employed in the execution of the contract or proposal and for his acceptable performance of the work for which he has contracted or proposed.

Town shall mean the Town of New Milford, Litchfield County, Connecticut.

Watercourse shall mean any channel for the drainage of water, such as a canal, river, brook, stream or swale.

Watershed shall mean that portion of land surrounding a watercourse or paved road which sheds its ground and/or surface water into or onto the watercourse or paved road. Final decision as to the limits of any given watershed shall rest with the Selectman or his duly appointed agent.

Wearing surface shall mean that visible section of the roadway which comes in direct contact with vehicular movement. (Ord. of 6-15-1978, § 1)

§ 18-24. General regulations.

(a) *Applicability.* This Article shall govern the construction of all roads, drainage structures, appurtenances and bridges, presented or designed to be presented for acceptance and maintenance by the Town of New Milford, and excavation, diversion of water runoff and other activities pertaining to town highways and streets. This Article specifically exempts work done by the Town of New Milford.

(b) *Repealer.* All ordinances or parts of ordinances conflicting with the provisions of this Article, including the Road Ordinance of the Town of New Milford dated June 1, 1962, as amended, and the Ordinance Governing Certain Activities on Town Roads, Highways and Sidewalks, dated April 1, 1966, are hereby repealed.

(c) *Standards.* The construction of roads, drainage structures, appurtenances and bridges shall be governed by standards contained in Table I following.

(d) *Applicable state standards.* Except where the terms of this Article may alter them, the latest State of Connecticut Department of Transportation Standard Specifications for Roads, Bridges and Incidental Construction or revision thereof shall apply and govern and are hereby made part of this Article.

(e) *Contours.* As far as practicable, roads shall follow existing contours.

(f) *Turnarounds.* All dead-end roads shall terminate in a turnaround one hundred (100) feet in diameter with a completely paved area eighty (80) feet in diameter. The construction of all dead-end roads shall conform in every detail to the provisions of this Article that apply to through streets. The road right-of-way should extend to the property line where possible.

(g) *Sidewalks.* Sidewalks shall be constructed on one (1) or both sides of all proposed streets where specified by the First Selectman and/or Planning Commission. If sidewalks are not

required, grading back of the curbs may be required to provide for future sidewalks.

(h) *Drainage.*

(1) All roads and drives shall be properly drained and sufficient culverts, manholes and catch basins installed. No portion of any road shall be drained more than three hundred fifty (350) feet in one direction without catch basins or other provisions for conducting water off of the road.

(2) In case of extremely steep or flat grades or large drainage areas, the spacing of catch basins at a closer interval may be required unless a gutter flow analysis satisfactory to the Director of Public Works shows otherwise.

(3) A drainage analysis map and drainage computations shall be submitted to the Planning Commission and to the Director of Public Works and shall be based on the following criteria:

a. For drainage areas less than one hundred (100) acres, the rational formulas shall be used with a minimum coefficient of imperviousness of sixty percent (60%) for all developed areas or areas which may be developed. Higher values must be used for areas draining paved areas exclusively. Lower values may be used for open space. The following return frequency shall be used:

1. Ditches: ten (10) years.
2. Storm drains: ten (10) years.
3. Culverts and watercourses: fifty (50) years.

b. For drainage areas greater than one thousand (1,000) acres, the one-hundred-year flood flow used to establish the Department of Housing and Urban Development flood limit lines shall be used to determine waterway openings. These areas will require special consideration on a job basis and complete hydraulic data and preliminary structure design shall be submitted to the Director of Public Works for review.

c. Asphalt-coated corrugated metal pipe shall be required under the following conditions:

1. Slopes ten percent (10%) or greater.
2. Areas of unstable soil.
3. In areas with less than thirty-six (36) inches of cover or excessive fill, the Director of Public Works shall specify the gauge of pipe.

d. Type C catch basins will normally be required with curb set parallel to the roadway center line and top set parallel with the grade of the road. In areas outside of roadway paved area, a type C-L catch basin may be used. Flow capacity for these areas shall be computed to determine the elevation of the grate for depressed structures.

e. Outlet ditches shall be designed so that the velocity of flow will not scour or erode the material. Where excessive velocity is expected riprap or other energy

dissipators may be required.

(i) *Plan-profile drawings.*

(1) Plan-profile drawings of all proposed roads shall be submitted on plan profile sheets twenty-four by thirty-six (24 x 36) inches. Plan-profiles shall be at a scale of one (1) inch equals forty (40) feet in plan, and one (1) inch equals forty (40) feet horizontal and one (1) inch equals four (4) feet vertical in profile. Elevations shall refer to approximate United States Coast and Geodetic Survey datum. Drawings shall include the following:

a. Layout of proposed streets in both plan and profile indicating right-of-way dimensions as shown on the final subdivision plan, width of right-of-way and paving. Existing field elevations and proposed center line grade lines with stations every fifty (50) feet, vertical curve data and percent of grade. North arrow and monumented control points shall be shown with at least two (2) permanent bench marks with elevations indicated.

b. Typical cross section of the streets with paving, shoulders, curbs and sidewalks in detail.

c. Plan-profile drawings shall also show all utility lines, encroachment lines and all easements for utilities, drainage and other rights-of-way, with location, size and inverts of existing and new culverts, and the entire drainage system.

d. If considered advisable by the Director of Public Works or the Planning Commission due to the terrain as determined from contours and the proposed profile showing original and final grades, cross sections of the proposed road shall be furnished indicating the relation of the proposed construction to the adjacent land by the holder of the road permit at intervals of every fifty (50) feet, showing the original ground, top and toe of slopes, culverts or bridges. These sections shall extend at least forty (40) feet left and right of the center line.

e. Where required in the judgment of the Director of Public Works, street intersections shall be developed at a larger scale, showing catch basins, gutter, road center line, curb and sidewalk elevations.

(2) All of the above documents shall bear the appropriate seal as recommended by the Board of Registration for Professional Engineers and Land Surveyors of the State of Connecticut.

(3) The above information shall be submitted for approval to the New Milford Planning Commission in accord with the New Milford Subdivision Regulations and Zoning Regulations.^{EN} It shall then be referred to the Director of Public Works by the Planning Commission.

(4) Upon final approval of the above-listed submissions for any proposed roadway and auxiliary structures, seven (7) copies of said documents will be required for filing by the town.

(j) *Tributary drainage to a state system.* Where drainage is tributary to a portion of a

Connecticut Department of Transportation drainage system, the holder of the road permit shall obtain the approval of the Connecticut Department of Transportation for such drainage and shall submit the approval to the Planning Commission with the other required documents.

(k) *Easements.* Permanent easements, of a nature acceptable to the Town Counsel, shall be deeded to the town in all cases where drainage pipes or ditches cross or abut lands other than a street right-of-way. A minimum width of twenty (20) feet shall be required and said easements shall be clearly defined on the final subdivision plan placed on file in the land records.

(l) *Right to drain required.* Where drainage waters are discharged directly or indirectly onto adjacent landowners, the holder of the road permit shall secure and deed to the town a right to drain, acceptable to the Town Counsel, of said landowner.

(m) *House and foundation drains.* House and foundation drains in no case shall be permitted to discharge onto the highway. Such drains shall be connected to catch basins or manholes. All such drainage connections shall be extended beyond the limits of the right-of-way prior to construction of the bituminous concrete.

(n) *Trees and shrubs.* Trees or shrubs may be planted within a right-of-way line, provided that the lowest branches are at least eight (8) feet above the road surface.

(o) *Not a public road.* During construction and prior to the acceptance of any roadway by the town, the subdivider shall erect and maintain at each entrance point one (1) sign which shall read "THIS IS NOT A PUBLIC ROAD." Such signs shall be removed by the subdivider within the immediate ten-day period following final acceptance by the town.

(p) *Open excavations.* All open excavations shall be properly protected with suitable warning lights, signs, covering, planking, barricades and such other devices as may be prescribed by the Selectmen. All open excavation shall be immediately backfilled upon completion of work. Every attempt shall be made to minimize the length of trench open at any one (1) time.

(q) *Traffic control.* The Selectmen or their agent may require the holder of any permit under this Article to provide police traffic control whenever, in their judgment, the normal flow of traffic or the public safety is impaired by any work or activity upon any town road or highway. All costs of such police supervision shall be borne by the holder of the permit.

(r) *Snow discharge.* No person, firm or corporation shall discharge any snow from any private driveway, road or parking area upon any town highway.

(s) *Driveways.* Driveways entering upon an existing or proposed town highway or right-of-way shall conform to the latest Driveway Ordinance. ^{EN} (Ord. of 6-15-1978, § 2)

§ 18-25. Construction methods and requirements.

(a) *Compliance with specifications.* Construction methods and materials shall comply with the latest Connecticut Department of Transportation specifications for roads and bridges.

(b) *Preparation of subgrade for roads.* No gravel shall be placed on the prepared subgrade until the Director of Public Works or his agent has approved the condition of the subgrade.

(c) *Slopes.* Slopes shall be no steeper than two to one (2:1) and loamed to a minimum depth of four (4) inches, rolled, fertilized and seeded with the following seed mixture, or an equal or as required by the Selectmen:

- (1) Forty-two percent (42%) domestic rye grass.
- (2) Twenty-five percent (25%) creeping red fescue.
- (3) Twelve percent (12%) perennial rye grass.
- (4) Nine percent (9%) Kentucky blue grass.
- (5) Ten percent (10%) redtop.
- (6) Two percent (2%) white Dutch clover.

(d) *Gravel subbase for roads.* The subbase shall consist of at least twelve (12) inches of bank-run gravel constructed in accord with state specifications. Where ledgerrock is encountered, it shall be excavated a minimum of eighteen (18) inches and backfilled with gravel subbase. The holder of the road permit may be required to have a qualified testing laboratory perform at least three (3) tests or one (1) every two hundred fifty (250) feet, whichever is greater. Any deficient area shall be corrected and retested at the expense of the holder of the road permit.

(e) *Base course for roads.* The base course shall be in accordance with the specifications herein.

(f) *Wearing surface.* The wearing surface of all roads will be bituminous concrete pavement, constructed in two (2) courses to the thicknesses indicated herein. A minimum thickness of pavement shall be three (3) inches after compaction. A higher-type pavement may be constructed with the permission of the Director of Public Works. No pavement may be installed until approval is given by the Director of Public Works. Any area of a road or driveway found to be deficient in compacted thickness by more than one-half (1/2) inch shall be corrected with a one-inch overlay, provided that an acceptable grade and cross section can be achieved. At the ends of the overlay, the original pavement shall be cut back sufficiently to allow placement of the overlay. Feathering shall not be allowed. The Director of Public Works must be notified a minimum of forty-eight (48) hours prior to the installation of each course of bituminous concrete and approval received before installation.

(g) *Drainage.* All drainage pipe shall be at least fifteen (15) inches in diameter except as noted below and installed with a minimum cover of three (3) feet or, if less, as required by the gauge or class of pipe with the approval of the Director of Public Works. All installation and construction shall be to the line and grade indicated on submitted drawings. Underdrain pipe and outlets shall be of a size and location as determined by the Director of Public Works. Drainage pipe shall be laid along the greater cut or shallower fill side of the road. Curb-type catch basins, various types of endwalls, CL-type catch basins, manholes, wing-type endwalls and underdrain shall be constructed according to the dimensions, methods and materials shown in detail on Connecticut Department of Transportation Standard Sheets.

(h) *Inspections; curbing.*

(1) After drainage pipe is installed and prior to any backfilling, the subdivider and/or contractor shall notify the Department of Public Works. The Director of Public Works, or his representative, shall meet with the subdivider's and/or contractor's engineer to inspect the drainage. The Director of Public Works shall direct that any required changes be made and shall reinspect the drainage system prior to backfilling. The Director of Public Works shall notify the First Selectman and/or Planning Commission of his inspections.

(2) After the fine grading and prior to the application of the first course of bituminous concrete, the subdivider and/or contractor shall notify the Department of Public Works. The Director of Public Works, or his representative, shall meet with the subdivider's and/or contractor's engineer to inspect the roadway. The Director of Public Works shall direct that any required changes be made and shall reinspect the roadway prior to the application of the first course of bituminous concrete. The Director of Public Works shall notify the First Selectman and/or Planning Commission of his inspections.

(3) Curbing is required on all roads unless otherwise designated. At the time of this inspection those areas not requiring curbing shall be designated by the Director of Public Works. Curb must be installed prior to the second course of bituminous concrete.

(4) The Director of Public Works or his/her designee shall conduct progress inspections of all roads intended to be dedicated to the Town while such roads are under construction to ensure compliance with the terms of this ordinance. The inspections shall consist of and be conducted at particular stages of construction as follows: (See current § 18-25(h) and Table I for existing standards.)

(i) *Construction sequence.*

(1) Before fine grading is started, all service lines from underground utilities shall have been installed to every lot in the proposed subdivision. When all underground work is completed, the final grade shall be established and the pavement applied. Curbing, when required, shall then be installed throughout and shoulders fine graded as a final operation.

(2) Where utilities are existing or to be installed, the holder of the road permit shall raise all manholes, valve boxes, etc., up to the final road grade. These utility appurtenances shall be clearly visible and shall be so set that a true line and grade is maintained.

(3) In all cases, the installation of all utilities within the right-of-way shall be under the direction of the Director of Public Works. Service lines shall be run to each and every lot at the time of initial installation of the distribution main. Said service to extend to a point at least twenty-four (24) inches outside the curblines and shall be terminated with a valve and curb box, in the case of gas and water service, or sanitary sewer where designated by the Sewer Commission.

(j) *Bridges.* Where bridges are to be built, they shall be designed to satisfy the requirements of H-20-S-16 wheel loading. Drawings and design calculations shall be submitted to the Director of Public Works and shall be certified by a professional engineer, registered in

the State of Connecticut.

(k) *Termination of work.* Upon suspension or completion of the work or any portion thereof, the subdivider or contractor shall remove from all public or private property all temporary structures, tools and equipment, rubbish or waste materials resulting from his operations. All ditches shall be filled, all sewers, drains, catch basins and manholes cleaned and flushed, streets, walks, curbs and other structures cleaned and repaired and the whole work area left in a neat and clean condition.

(l) *Sight distance.* Adequate sight distance at all intersections shall be provided. The holder of the road permit shall regrade all areas falling within the sight distance triangle. He shall remove trees, brush, stones, etc., and other objects designated by the Director of Public Works or his agent so that clear, unobstructed sight distance is obtained.

(m) *Unaccepted streets.*

(1) All private roads in existence at the date of the passage of this Article and submitted to the town for acceptance shall conform to the road ordinance in effect at the time of construction.

(2) If a private road was constructed prior to a road ordinance, the following minimum specifications shall apply:

a. Minimum right-of-way: forty (40) feet.

b. Minimum pavement width: eighteen (18) feet.

(3) All other specifications shall follow this Article or as directed by the Director of Public Works. (Ord. of 6-15-1978, § 3; Ord. of 12-8-2006)

§ 18-26. Material specifications.

(a) *Bank-run gravel.* All material shall conform to the latest Connecticut Department of Transportation Specifications.

(b) *Monuments.* Monuments shall be set on both sides of all right-of-way lines of streets, all intersections, angle points and points of tangency. Monuments shall be at least forty-eight (48) inches long and shall be at least four (4) inches square. All monuments may be stone or reinforced concrete. The monuments shall not be set before the final wearing course has been completed, nor shall they be set while the frost is in the ground. They shall be set so that the top is five (5) inches above the finished grade and clearly visible, and they shall be so set and tamped as to prevent shifting. The subdivider's surveyor shall certify that the location of all monuments is accurate before acceptance of the street by the town.

(c) *Street signs.* Street signs shall conform to the town's standard and shall be installed by the subdivider at his expense. (Ord. of 6-15-1978, § 4)

§ 18-27. Administration.

(a) *Guaranty bonds.*

(1) *Town highway or right-of-way.* All road construction or reconstruction and all excavation on or under a town highway or right-of-way shall be guaranteed by the posting of a performance guaranty bond running in favor of the town or by the presentation of a certified check payable to the town in an amount equal to one hundred percent (100%) of the cost of the work. The cost of such work shall be estimated by a licensed professional engineer, and reviewed by the Director of Public Works. For any road improvements performed under contract with the town, such performance guaranty bond or certified check shall be filed with the First Selectman.

(2) *Subdivisions.* All road construction, including drainage and other improvements, within a proposed subdivision shall be guaranteed by the posting of a performance guaranty bond in an amount equal to one hundred percent (100%) of the cost of the work. Cost estimates shall be submitted to the Director of Public Works and to the Planning Commission for review and approval. The performance guaranty bond shall be filed with the Planning Commission prior to final subdivision approval.

(3) All performance guaranty bonds shall be written for a term not to exceed two (2) years as shall be determined by either the First Selectman in the case of work performed on or under a town highway or right-of-way; or by the Planning Commission in the case of work performed within a subdivision. The First Selectman and/or Planning Commission may permit an extension of any performance guaranty bond to allow for the completion of the wearing surface of a road, provided that the surety consents and agrees to such extension. All performance guaranty bonds shall be approved by Town Counsel.

(4) After certification by the Director of Public Works that drainage has been installed or a section of the road has been completed and upon the request of the principal, performance guaranty bonds may be reduced with the approval of the First Selectman and/or Planning Commission as the case may be.

(5) In the case of road construction, reconstruction and/or excavation on or under a town highway or right-of-way, no performance guaranty bond shall be released until such work has been certified complete by a licensed professional engineer and the town highway or right-of-way has been restored to a condition satisfactory to the Director of Public Works.

(6) In the case of road construction, including drainage and other improvements, within a proposed subdivision, no performance guaranty bond shall be released until the subdivider's professional engineer has certified the completion of all improvements in accordance with the requirements of this Article and until acceptance of the improvements by the town and receipt and approval of a maintenance bond.

(b) *Permits.*

(1) *Road permit.* No road work on existing town highways will be undertaken until a road permit has been issued by the First Selectman specifying all work to be done. A performance guarantee bond may be required for this work except for public utility companies which are under the Public Utility Control Authority.

(2) *Excavation permit.* No person, firm or corporation, other than town employees while in the actual performance of their employment, shall excavate on or under any town highway or right-of-way before first filing a written application with the First Selectman and receiving a permit therefor; said written application shall contain the exact location of the proposed excavation, the purpose of the work, the time when the work will commence and terminate and the party to perform the work.

(3) *Other permits.* No person, firm or corporation shall obstruct, divert or interfere with any existing town highway water drain or runoff; or intentionally deposit, accumulate or burn any rubbish, leaves, grass clippings or other substance or material upon any town highway; or utilize any portion of any town street, road, sidewalk or right-of-way for the purpose of storing or depositing, for any period of time, any material to be used in the construction or repair of any building or other work; without having first obtained the written permission of the First Selectman.

(c) *Inspection of work and material testing.* The road permit shall indicate required inspections at certain stages of construction in accordance with § 18-24(h), and it shall become the responsibility of the holder of the road permit to submit requests for these inspections. In no case shall any structure, pipe, conduit or other improvement be backfilled without the inspection and approval of the Director of Public Works or his agent. The Director of Public Works or his agent may require testing of any or all materials used in the construction of roadways and all appurtenant structures. Testing shall be conducted on the site, at the place of manufacture or at an approved testing laboratory; any and all expenses for such testing shall be directly borne by the holder of the road contract. Failure of any material to meet the required specifications will be cause for rejection of said material.

(1) In addition to the applicable base application fees, the subdivider and/or road developer shall pay the Town of New Milford \$300 for each lot for which approval is requested in the application, for engineering review of the proposed plan and a per-inspection assessment for road construction inspections. The New Milford Planning Commission shall be and is hereby empowered and authorized to adopt such fees to be paid to the Town of New Milford. Engineering review and road inspection fees shall be payable at the time the application is filed. No application shall be considered complete unless such fees shall have been paid. If the application is denied prior to engineering review, or no engineering review expenses are incurred and no road inspections are conducted, the engineering review and road inspection fees shall be refunded to the applicant after the expiration of all appeal periods.

(d) *Maintenance during performance guaranty bond period.* During any stage of construction, the subdivider shall maintain all roads, including drainage and other improvements, and shall remove snow and ice when necessary.

(e) *Forfeit of performance guaranty bond.* If the proposed work has not been completed within the contract period, a two-year period, or within an agreed upon extension period, the Selectman shall recommend that the guaranty be in forfeit.

(f) *Road maintenance bond.*

(1) Except for snow and ice control, the subdivider shall keep and maintain the completed road and improvements in good repair for a period of one (1) year from the date of final acceptance by the town. Prior to final acceptance of the road improvements, the subdivider shall file with the First Selectman a surety bond in a form acceptable to Town Counsel, First Selectman and the Director of Public Works in an amount of ten percent (10%) of the value of the work accepted. The term of this bond shall be one (1) year from the date of final acceptance.

(2) During the required one-year maintenance period, the subdivider shall, when notified by the Director of Public Works or his agent, promptly, and at the subdivider's expense, repair all defects and/or failures in the construction and operation of roads, structures and appurtenances which may occur during said period. Should the subdivider fail to remedy such defects within a reasonable time, the town may, upon written notice to the subdivider and surety, cause the required repairs to be made and bill the subdivider or surety company for the cost of such repair work.

(3) No road bond shall be fully released until the road is accepted by the Town Council and the Planning Commission notified of such acceptance in accordance with the provisions of the Charter. Nothing herein shall impair the right of the Planning Commission to release portions of or reduce the bonds as construction is completed and recommended for acceptance by the Department of Public Works.

(g) *As-built drawings.* Upon completion of construction and prior to acceptance or release of performance guaranty, as-built drawings certified by a registered land surveyor shall be submitted for approval in accordance with the requirements of this Article. Such drawings shall be in accord with Class A-2 (Connecticut Technical Council), shall be entitled "As-Built" and shall note any deviation from the original plans.

(h) *Warranty deeds.* Upon completion of construction and prior to acceptance or release of the performance guaranty bond, a warranty deed or deeds covering all roads and rights-of-way, drainage or other easements shall be granted to the Town of New Milford and delivered to the First Selectman, together with the as-built drawings. The grantor shall also furnish the town with a certificate of title for the land described in the warranty deed acceptable to Town Counsel and signed by a member of the Bar of the State of Connecticut. The standard title of the Connecticut Bar Association shall govern.

(i) *Approval and acceptance by the town.*

(1) No road shall be accepted by the Town Council unless it has been so inspected, the fees paid and final approval given first by the Department of Public Works and by the Planning Commission. The Department of Public Works shall notify the Planning Commission, Wetlands Officer, Mayor's office and Town Attorney of such final approval before the acceptance is considered by the Town Council.

(2) No road shall be accepted into the New Milford road system between November 1 and April 15 of the following year.

(j) *Penalties for violation.* In addition to all other legal and equitable remedies available to accomplish enforcement of this Article, any person, firm, corporation or agent thereof, violating

or assisting in the violation of any of the provisions hereof, shall be fined no more than one hundred dollars (\$100.) for each offense. Each day of violation shall be deemed a separate offense.

(k) *Separability.* In the event that any part of this Road Ordinance is found to be invalid or unenforceable by a court of competent jurisdiction, such decision shall be limited to those provisions which are expressly stated in the opinion to be invalid or unenforceable and all other provisions of this Article shall continue to be separately and fully effective.

(l) *Applicability.* This Article shall apply to all roads which are submitted to the town for acceptance except those which have been approved by the Selectmen for construction or are now under construction in accordance with the Road Ordinance of the Town of New Milford, dated June 1, 1962, as amended; and to activities approved under the Ordinance Governing Certain Activities on Town Road, Highway and Sidewalks, dated April 1, 1966. (Ord. of 6-15-1978, § 5; Ord. of 12-8-2006)

§§ 18-28 - 18-38. Reserved.

APPENDIX A
Requirements for As-Built Road Plans
(For roads to be accepted into the Town of
New Milford road system)

1. One set of drawings to be on plan-profile linen or Mylar sheets twenty-four by thirty-six (24 x 36) inches in drawing ink, to be filed with the Director of Public Works. Four other sets of drawings may be on either blue-line or black-line paper, for a total of five sets of drawings.
2. Plan scale to be one inch equals 40 feet.
3. Profile scale to be:
Horizontal: one inch equals 40 feet.
Vertical: one inch equals four feet.
4. All drainage structures to be shown on both plan and profile with size and invert elevations of all pipes.
5. All monuments set will be shown on plan.
6. Profile measurements to be made so as to show vertical curve of road surface.
7. A minimum of two (2) permanent bench marks are to be shown on each plan sheet.
8. All easements to the Town of New Milford are to be noted.
9. All easements to utility companies are to be noted.
10. All encroachments on the property to be conveyed to the Town of New Milford are

to be shown.

11. Property to be conveyed to the Town of New Milford will be described by bearing and distances. Curves are to be described by their radius, length, chord and chord bearing.
12. The plan is to be certified as Class A-2 or better, in accordance with the Connecticut Technical Council, by a registered land surveyor.
13. Deed of right-of-way to the town is to refer to the "As-Builts."
14. Road names and length of each is to be recorded in the deed.
15. Certificate of title.