

## CHAPTER 23 – STREETS, SIDEWALKS AND PUBLIC IMPROVEMENTS

Sec. 23-34. Public Improvement Repayments; Construction of special public improvements.

Prior to a permit being issued for construction of special public improvements for which repayment of reimbursement amount is being requested, the following requirements shall be met:

(a) A diagram describing all property which will be benefitted by any special public improvements to be installed shall be provided to the Engineering Director or designee.

(b) The field engineering, plans and specifications required for the special public improvement may be prepared by the owner or the city. If prepared by the owner they must be approved by the Engineering Director or designee prior to construction. The engineering costs for preparation of plans and staking of the special public improvements only, which are incurred by the person, may be included as determined by the public works director or his designee in the agreed construction costs as provided in this section.

(c) For any special public improvements which are constructed, the owner shall furnish and install to city specifications all facilities within the boundary of the designated area of the development.

(d) Detailed plans and specifications for special public improvements which are extensions to existing public facilities must be approved by the Engineering Director prior to construction. The costs for the preparation of plans and specifications, diagrams and other information required by the owner to comply with sections 23-32 - 23-39 shall be assumed by the owner.

(e) The project shall be bid in accordance with the provisions pertaining to public works projects contained in Title 34, Arizona Revised Statutes. The bids shall be opened by the city on a pre-determined date agreeable to the owner and the city. The city and the owner reserve the right to reject any or all bids. The construction costs shall be determined prior to the commencement of construction and shall be approved by the city. In the event that the agreed upon construction costs increase, the repayment agreement may be amended upon approval of the additional construction costs by the city.

(f) The city will perform the inspection during construction and shall charge the owner for the inspection of the special public improvements. The costs of such inspections may be included in any repayment agreement.

(g) The ownership of all special public improvements upon inspection and acceptance as meeting city standards shall be vested in the city.

State Law Reference. A.R.S. §34-201.2

(Ord. No. 92-03, 2/11/92, Enacted)

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(Ord. No. 97-38, 7/15/97, Repealed and reenacted)

(Ord. No. 02-41, 6/7/02, amended) SUPP 2002-2